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105 CMR 532.000: INSPECTION OF POULTRY AND POULTRY PRODUCTS

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532.001: Definitions

For the purposes of 105 CMR 532.000 unless the context otherwise requires, the following terms shall have the following meanings:

Adulterated, shall apply to poultry and poultry products under one or more of the following circumstances:

- (1) First, if it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such article shall not be considered adulterated under this clause if the quantity of such substance in or on such article does not ordinarily render it injurious to health;
- (2) Second,

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- (a) if it bears or contains, by reason of administration of any substance to the livestock or poultry or otherwise, any added poisonous or added deleterious substance;
- (b) if it is, in whole or in part, a raw agricultural commodity and such commodity bears or contains a pesticide chemical which is unsafe within the meaning of section 408 of the Federal Food, Drug and Cosmetic Act;
- (c) if it bears or contains any food additive which is unsafe within the meaning of section 409 of the Federal Food, Drug and Cosmetic Act;
- (d) if it bears or contains any color additive which is unsafe within the meaning of section 706 of the Federal Food, Drug and Cosmetic Act; provided that an article which is not otherwise deemed adulterated under clause 105 CMR 532.001(C)(2)b., 532.001(C)(2)c. or 532.001(C)(2)d. shall nevertheless be deemed adulterated if use of the pesticide chemical, food additive, or color additive in or on such article is prohibited 105 CMR 532.000 of the department;
- (3) Third, if it consists in whole or in part of any filthy, putrid, or decomposed substance or is for any other reason unsound, unhealthy, unwholesome or otherwise unfit for food;
- (4) Fourth, if it has been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;
- (5) Fifth, if it is, in whole or in part, the product of an animal, including poultry, which has died otherwise than by slaughtering;
- (6) Sixth, if its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health;
- (7) Seventh, if it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to section 409 of the Federal Food, Drug and Cosmetic Act;
- (8) Eighth, if any valuable constituent has been in whole or in part omitted or abstracted therefrom; or if any substance has been substituted, wholly or in part therefor; or if damage or inferiority has been concealed in any manner; or if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is; or
- (9) Ninth, if it is margarine containing animal fat and any of the raw material used therein consisted in whole or in part of any filthy, putrid, or decomposed substance; or
- (10) Tenth, if it falls below the standard of purity, quality or strength which it purports or is represented to possess.

Applicant, any person who requests any inspection service.

Commerce, commerce between points within the Commonwealth of Massachusetts.

Commissioner, the Commissioner of Public Health or his duly authorized agent.

Consumer package, any container in which a poultry product is enclosed for the purpose of display and sale to household consumers.

Container or package, includes any box, can, tin, cloth, plastic, or any other receptacle, wrapper, or cover.

Department, the Massachusetts Department of Public Health.

Director, the Director of the Division of Food and Drugs or any employee of the Division to whom there has heretofore been delegated, or to whom there may hereafter be delegated the authority to act in his stead.

Dressed poultry, poultry which has been slaughtered for human food with head, feet, and viscera intact and from which the blood and feathers have been removed.

Dressed poultry identification mark, the symbol formulated pursuant to 105 CMR 532.000 stating that the dressed poultry is eligible for further processing in official establishments under Massachusetts inspection.

Food product containing poultry product, any article of food for human consumption which is prepared in part from ready-to-cook poultry, but which has been exempted by the Commissioner of Public Health from the category of a poultry food product.

Free from protruding pinfeathers, that the carcass is free from protruding pinfeathers which are visible to an inspector during an examination of the carcass at normal operating speeds. However, a carcass may be considered as being free from protruding pinfeathers if it has a generally clean appearance (especially on the breast), and if not more than an occasional protruding pinfeather is in evidence during a more careful examination of the carcass.

Giblets, the liver from which the bile sac has been removed, the heart from which the pericardial sac has been removed, and the gizzard from which the lining and contents have been removed: Provided, that each such organ has been properly trimmed and washed.

Immediate container, includes any consumer package; or any other container in which poultry carcasses or poultry products, not consumer packaged are packed.

Inspection, any ante-mortem examination of poultry or any post-mortem inspection of dressed poultry at the time of evisceration or any inspection by an inspector to determine in accordance with 105 CMR 532.000

- (1) the wholesomeness of any poultry product at any stage of the preparation or packaging thereof in the official establishment where inspected for wholesomeness, or
- (2) the wholesomeness of any previously inspected poultry product if such poultry product has not lost its identity as an inspected product.

Inspection service, the official service within the Department having the responsibility for carrying out the provisions of the law regulating the slaughter and processing of meat

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and poultry. Inspection service also means the activities performed, including official reporting, by such official service.

Inspector,

- (1) an employee or official of the Division of Food and Drugs authorized by the Director to inspect poultry and poultry products, pursuant to 105 CMR 532.000, or
- (2) an employee or official of the U.S.D.A., authorized by the Director to inspect poultry and poultry products, pursuant to 105 CMR 532.000, under an agreement entered into between the Consumer and Marketing Service and the Massachusetts Department of Public Health.

Label, any written, printed, or graphic material upon the shipping container, if any, or upon the immediate container, including but not limited to an individual consumer package of the poultry product, or accompanying such product.

Mass. D.P.H. Inspected and Passed, with respect to any poultry product, that it has undergone an inspection and was found at the time of such inspection to be wholesome and not adulterated.

Official establishment, any establishment as determined by the department at which inspection of the slaughter of livestock or poultry or the preparation of livestock products or poultry products is maintained under the authority of M.G.L. c. 94, § 118 *et seq.*

Official identification, the official inspection mark or the dressed poultry identification mark.

Official inspection mark, the symbol, formulated pursuant to 105 CMR 532.000, stating that the poultry product was inspected and passed.

Person, any individual, partnership, corporation, association, or any business unit.

Potable water, water that has been approved by the Massachusetts Health Authority or agency or laboratory acceptable to the Director as safe for drinking, and suitable for food processing.

Poultry, any domesticated bird, whether live or dead.

Poultry by-product, the skin, fat, gizzard, heart, or liver of any poultry.

Poultry food product, any human food product consisting of any edible part or parts of poultry in combination with other ingredients.

Poultry product, any poultry carcass or part thereof; or any product which is made wholly or in part from any poultry carcass or part thereof, excepting products which contain poultry ingredients only in a relatively small proportion or historically have not been considered by consumers as products of the poultry food industry, and which are

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exempted by the commissioner from definition as a poultry product under such conditions as he may prescribe to assure that the poultry ingredients in such products are not adulterated and that such products are not represented as poultry products.

Process or prepared, to conduct any operation or combination of operations, whereby poultry is eviscerated, cut up, heat treated, canned, packaged, labeled, or changed in size, shape, or form, and includes the combining of poultry products with other ingredients, excepting, however, the preparation of sandwiches or fat capsules from domestic or imported poultry or poultry products inspected in accordance with 105 CMR 532.000 and the preparation, from such poultry or poultry products, of any food product by any caterer or restaurant for servicing by such caterer or restaurant directly to consumers, and the packing or labeling of such articles in the course of the excepted operations. The terms, "process" or "prepare" do not refer to freezing of poultry or poultry products, except when freezing is incidental to operations otherwise classed as "processing" under Process or prepared, in which case the provisions of 105 CMR 532.050 and 105 CMR 532.104 and other applicable provisions of 105 CMR 532.000 shall apply.

Product, dressed poultry or poultry product or both.

Ready-to-cook poultry, any dressed poultry from which the protruding pinfeathers, vestigial feathers (hair or down as the case may be), head, shanks, crop, oil gland, trachea, esophagus, entrails, reproductive organs and lungs have been removed, and with or without the giblets, is ready to cook without need of further processing. Ready-to-cook poultry also means any cut-up or disjointed portion of poultry or any edible part thereof, as described in 105 CMR 532.001(AE).

Shipping container, any container used or intended for use in packaging the product packed in an immediate container.

Slaughter, the act of killing poultry for human food in accordance with good commercial practices in a manner which will result in thorough bleeding of the carcasses.

Unwholesome, adulterated.

Wholesome, sound, healthful, clean, and otherwise fit for food.

### 532.005: Inspection Services Available

105 CMR 532.000 provide for inspection service pursuant to the provisions of the laws regulating the slaughter and processing of meat and poultry.

### 532.006: Establishments Requiring Inspection

Every establishment in which poultry is slaughtered for transportation or sale in commerce or for transportation from an official establishment to another official establishment, and every establishment in which poultry products are processed for transportation or sale in commerce shall have inspection under 105 CMR 532.005 except

as expressly exempted.

532.007: Poultry, Poultry Products, Meat and Meat Food Products Entering or Prepared in Official Establishments

All poultry and poultry products processed in an official establishment shall be inspected, handled, prepared, marked and labeled as required by 105 CMR 532.007. All dressed poultry and poultry products entering an official establishment shall have been prepared and inspected and passed in accordance with 105 CMR 532.000 or in accordance with the Poultry Products Inspection Act and not otherwise prepared, and shall be properly marked as so inspected and passed in accordance with 105 CMR 532.000. All meat and meat food products of cattle, sheep, swine, goats, or horses entering an official establishment shall have been prepared and inspected and passed in accordance with M.G.L. c. 94, § 118 *et seq.* regulating the slaughter and processing of meat and poultry, or the Meat Inspection Act, as amended and extended (21 U.S.C. 71 *et seq.*) or the Imported Meat Act (19 U.S.C. 1306(b)-(c)) and the regulations under such Acts (9 CFR Ch. III, Subchapter A), and not otherwise prepared, and shall be properly marked as so inspected and passed.

532.011: How Application Shall Be Made

The proprietor or operator of each establishment of the kind specified in 105 CMR 532.006 shall make application to the Director for inspection service. Every application under 105 CMR 532.011 shall be made on a form furnished by the Division. In cases of change of name or ownership or change of location, a new application shall be made.

532.012: Filing of Application

An application for inspection service shall be regarded as filed only when it has been filled in completely and signed by the applicant and has been received in the office of the Director.

532.013: Authority of Applicant

Proof of authority of any person applying for inspection service may be required at the discretion of the Director.

532.014: Approval of Application for Inspection

An application for inspection service to be rendered in an official establishment shall be approved according to the following procedure:

(A) Prints of Drawings and Specifications to be Furnished.

- (1) Applicants for inspection service may obtain information or assistance from the Division with respect to the requirements before submitting prints of drawings and specifications.
- (2) Three prints of drawings showing the features specified in 105 CMR 532.014



shall be submitted to the Director. Photostats of drawings are not acceptable. The drawings and prints shall be legible, made with sharp, clear lines, and properly drawn to scale and shall consist of complete floor plans and a plot plan. Elevations of all sides of all buildings shall be shown on the drawings, or three copies of photographs showing all sides of all buildings shall accompany the original submission.

Submissions consisting of more than one sheet shall be bound together at the left margin in sets.

(3) The plot plan shall show such features as the limits of the plant's premises, locations in outline of buildings on the premises, one point of the compass, and the location of roadways, railroads and water and sewer lines or sewage facilities serving the plant.

(4) The floor plan shall show all space to be included in the official establishment. If rooms or compartments shown on the drawings are not to be included as part of the official establishment, this shall be clearly indicated thereon.

(5) The sheets of paper on which prints of drawings are made shall not exceed a size of 34" X 44". The drawings, other than of the plot plan, shall be made to a scale of  $\frac{1}{8}$ " per foot. The plot plan may be drawn to a scale of not less than  $\frac{1}{32}$ " per foot. The drawings shall indicate the scale used and shall also indicate the floor shown (*e.g.* basement, first, or second).

(B) Features Required to Be Shown on Floor Plan. The following features shall be shown on the floor plan:

(1) The principal pieces of equipment drawn to scale in the proper locations.

(2) The name of the firm and address of the plant by street number, or by other means properly identifying the location of the plant, shall be shown on each drawing the same as shown on the application for license.

(3) One point of the compass.

(4) The doors and openings for passageways, designating those which are self-closing or permanently closed.

(5) All floor drain openings and gutter drains, and the approximate location of all underfloor and underground piping.

(6) Lavatories in toilet and processing rooms (lavatories which are other than hand-operated shall be so designated on the blueprints).

(7) All steam, hot and cold water outlets for clean-up purposes.

(8) Ice making and storage facilities.

(9) The point at which live poultry is hung on the conveyor line, the point where dressed poultry is removed, and the point of transfer to the eviscerating line.

(10) The routes of the edible and inedible products.

(11) The location of fresh air inlets, exhaust fans and hoods.

(C) Specifications. Specifications covering the following notations shall accompany the drawings:

(1) Height of ceilings.

(2) Type of ceilings -- open or closed.

(3) Finish of ceilings; for example -- cement plaster, metal, marine plywood, cement, asbestos board, etc.

(4) Finish of walls; for example -- cement plaster, glazed tile, glazed brick, glass

blocks, etc.

- (5) Screens -- indicate whether all outside openings are screened or provided with other suitable devices against entrance of flies or other insects.
- (6) Finish of floors -- concrete, brick, mastic material, *etc.*
- (7) Drainage -- indicate amount of slope of floors to the drains in processing rooms, coolers, toilets, and refuse rooms, and give description of trapping and venting of drainage lines, and of floor drain openings. Indicate size of drainage lines and whether house drainage lines and toilet soil lines are separate to a point outside of buildings.
- (8) Heating -- indicate type.
- (9) Water supply -- indicate whether public or private water supply, or both, and specify in terms of gallons per minute of water available for the processing needs of the plant. Also indicate whether or not a non-potable water supply is used for any purpose in the plant and, if so, specify such uses.
- (10) Hot water facilities -- specify facilities such as boilers, storage tanks, mixing valves, *etc.*, and indicate the size.
- (11) Specify number of men and number of women who will use each toilet room.
- (12) Sewage disposal -- indicate whether city sewer, cesspool, sedimentation tank, *etc.*
- (13) Approximate rate of production -- for slaughtering and/or eviscerating establishments, indicate hourly rate of slaughter and/or evisceration for each class of poultry, and for other types of establishments, indicate pounds of each class or type of poultry products processed per hour.

(D) Rooms and Compartments Which Must Be Included in the Official Establishment.

The official establishment shall include employees' toilet and dressing rooms, office space for the inspectors, storerooms for supplies, refuse rooms, and all rooms, compartments or passageways where poultry or poultry products, or any ingredients to be used in the preparation of products under inspection will be handled or kept. It also may include other rooms or compartments located in the buildings comprising the official establishment.

(E) Changes in Drawings or Blueprints. When changes are proposed in areas for which drawings have been previously approved, one of the following types of revised drawings shall be submitted for review and consideration:

- (1) A completely revised sheet or sheets, showing proposed alterations or additions, or
- (2) Pastors of minor changes which may be affixed to the affected areas on the previously approved drawings in a manner not obscuring essential data. Paster drawings shall be prepared to the same scale and presented on a background similar to that of the originally approved drawing.

(F) Survey and Plant Approval. Prior to the inauguration of the inspection service, a survey of the plant and premises shall be made by a representative of the Division to determine if the plant is constructed and facilities are installed in accordance with the approved drawings, specifications and 105 CMR 532.000. The application for inspection service may be granted and the plant may be approved by the Director only when these

requirements have been met.

(G) Order of Service. On the date when inspection service is inaugurated all establishments that are approved pursuant to 105 CMR 532.000 will be granted inspection service simultaneously subject to the availability of funds and qualified inspectors. Thereafter, applications will be considered in the order received and service will be installed in the order of approval of establishments subject to the availability of inspectors and funds to provide service.

532.021: Official Plant Numbers

An official plant number shall be assigned to each establishment granted inspection service. Such plant number shall be used to identify all containers of inspected products prepared in the establishment.

532.022: Subsidiary Establishments

When inspection service has been granted to a person at an establishment, it shall not be granted to any other person at the same establishment, except that a subsidiary of the grantee, doing any of the business described in 105 CMR 532.006 may apply for and receive inspection at such establishment.

532.023: Separation of Official from Unofficial Establishments

Each official establishment shall be separate and distinct from any other official establishment and from any unofficial establishment. Doorways, or other openings, may be permitted between establishments only at the discretion of the Director and under such conditions as he may prescribe.

532.024: Inauguration of Service

The inspector in charge or his supervisor shall, upon or prior to the inauguration of service, inform the proprietor or operator of the establishment of the requirements of 105 CMR 532.000. If the establishment at the time service is inaugurated contains any product which has not been inspected and marked in compliance with 105 CMR 532.000, its identity shall be maintained, and it shall not be represented or dealt with as a product which has been inspected. Such products may be shipped in commerce as provided in 105 CMR 532.154.

532.025: Suspension of Plant Approval and Withdrawal of Service

- (A) Any establishment approval given pursuant to 105 CMR 532.000 may be suspended by the Commissioner for
- (1) Failure to maintain premises, facilities, and equipment in a satisfactory state;
  - (2) The use of operating procedures or practices which are not in accordance with 105 CMR 532.000.

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(B) During such period of suspension, no processing of poultry or poultry products for commerce shall be carried on in the official establishment.

532.031: General Minimum Standards for Sanitation, Facilities and Operating Procedures in Official Establishments

The provisions of 105 CMR 532.032 through 532.053 shall apply with respect to inspection service in all official establishments.

532.032: Buildings

The buildings shall be of sound construction and kept in good repair.  
Outside Openings.

(A) The doors, windows, skylights and other outside openings of the plant, except in receiving rooms and feeding rooms, shall be protected by properly fitted screens or other suitable devices, against the entrance of flies and other insects.

(B) Outside doors, except in receiving rooms and feeding rooms, shall be so hung as to be close fitting when closed. Doors shall be provided with self-closing devices where necessary to prevent the entry of vermin into processing and storage rooms.

532.033: Rooms and Compartments

Rooms or compartments used for edible products shall be separate and distinct from inedible products departments and from rooms where live poultry is held or slaughtered. Separate rooms shall be provided when required for conducting processing operations in a sanitary manner; and all rooms shall be of sufficient size to permit the installation of the necessary equipment for processing operations and the conduct of such operations in a sanitary manner.

(A) Refuse Rooms. A separate refuse room, or other equally adequate facilities, shall be required in official establishments where accumulations of refuse occur. Refuse rooms shall be entirely separate from other rooms in the establishment, have tight fitting doors, be properly ventilated, and have adequate drainage and cleanup facilities, and the floors and walls to a height of six feet above the floor shall be impervious to moisture, and walls above that height, and ceilings, shall be moisture resistant.

(B) Rooms for Holding Carcasses for Further Inspection. Rooms or other acceptable facilities in which carcasses or parts thereof are held for further inspection shall be in such numbers and such locations as the needs of the inspection in the establishment may require. These rooms or facilities shall be equipped with hasps for locking.

(C) Coolers and Freezers. Coolers and freezers shall be of such size and capacity as are required for compliance with the provisions set forth in 105 CMR 532.050. Freezing rooms, other than those for plate freezers or liquid freezing, shall have forced air circulation and freezers and coolers shall be equipped with floor racks or pallets unless

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other means are used which will assure that products will be maintained in a wholesome condition.

(D) Storage and Supply Rooms. The storage and supply rooms shall be kept in good repair, dry, and sanitary.

(E) Boiler Room. The boiler room shall be a separate room where necessary to prevent dirt and objectionable odors entering from it into any room where dressed poultry or poultry products are prepared, handled, or stored.

(F) Inspector's Office. Office space, including, but not being limited to furnishings, light, heat and janitor service, shall be provided rent free in the official establishment, for the use of State personnel for official purposes. The room or space set apart for this purpose must meet the approval of the Division and be conveniently located, properly ventilated, and provided with lockers or file cabinets suitable for the protection and storage of supplies and with facilities suitable for inspectors to change clothing.

(G) Toilet Rooms. Toilet rooms, opening directly into rooms where poultry products are exposed shall have self-closing doors and shall be ventilated to the outside of the building.

(H) Lunch Rooms. Lunches and snacks shall not be eaten in processing, packing, or supply rooms. If needed, separate rooms or areas shall be provided in establishments where employees eat their lunches.

532.034: Floors, Walls, Ceilings, etc.

(A) Floors. All floors in rooms where exposed products are prepared or handled shall be constructed of, or finished with materials impervious to moisture, so they can be readily and thoroughly cleaned. The floors in killing, ice cooling, ice packing, eviscerating, cooking, boning and cannery rooms shall be graded for complete runoff with no standing water.

(B) Walls, Posts, Partitions, Doors. All walls, posts, partitions, and doors in rooms where exposed products are prepared or handled shall be smooth and constructed of materials impervious to moisture to a height of six feet above the floor to enable thorough cleaning. All surfaces above this height must be smooth and finished with moisture-resistant material.

(C) Ceilings. Ceilings must be moisture-resistant in rooms where exposed products are prepared or handled, finished and sealed to prevent collection of dirt or dust that might sift through floor above or fall from collecting surfaces on equipment or exposed product.

532.035: Draining and Plumbing

There shall be an efficient draining and plumbing system for the plant and premises.

(A) Drains and Gutters. All drains and gutters shall be properly installed with approved traps and vents. The drainage and plumbing system must permit the quick runoff of all water from plant buildings, and of surface water around the plant and on the premises; and all such water shall be disposed of in such a manner as to prevent a nuisance or health hazard.

(B) Sewage and Plant Wastes.

(1) The sewer system shall have adequate slope and capacity to remove readily all waste from the various processing operations and to minimize or, if possible, prevent stoppage and surcharging of the system. When the sewage disposal system is a private system which is required to be approved by the state or local health authority, the applicant shall furnish the Director a letter from the proper health authority indicating that the sewage disposal system is acceptable to such authority.

(2) Interceptor traps which are connected with the sewer system shall be suitably located, and not near any edible products department or in any area where products are unloaded from or loaded into vehicles. To facilitate cleaning, such traps shall have inclined bottoms and be provided with suitable covers.

(3) Each floor drain shall be equipped with a deep seal trap and the plumbing shall be installed so as to prevent sewage from backing up and flooding the floor, except that floor drains in areas not regularly washed down will be acceptable without deep seal traps: provided, that such drains are connected to secondary drainage systems discharging into a safe sink or basin (air gap) that is properly trapped and vented: and provided, further, that such drains accomplish the objectives and intent of 105 CMR 532.035(B)(4).

(4) Toilet soil lines shall be separate from house drainage lines to a point outside the buildings unless an automatic backwater check valve is installed to prevent back-flow. Drainage from toilet bowls and urinals shall not be discharged into a grease catch basin, nor shall such drainage be permitted to enter the sewer lines at a point where there might be a possibility of such drainage backing up and flooding the floor of the building.

#### 532.036: Water Supply

The water supply shall be ample, clean, and potable with adequate pressure and facilities for its distribution in the plant, and its protection against contamination and pollution. A report, certifying to the potability of the water supply, shall be obtained by the applicant annually and furnished to the Director or more often when required by the Director.

(A) An adequate supply of hot water to enable proper cleaning shall be available.

(B) Hose connections with steam and water mixing valves or hot water hose connections shall be provided at convenient locations throughout the plant for cleaning purposes.

(C) The refuse rooms shall be provided with adequate facilities for washing refuse cans

and other equipment in the rooms.

530.037: Lavatories, Toilets, and Other Sanitary Facilities

Modern lavatory and toilet accommodations and properly located facilities for cleaning utensils and hands shall be provided.

(A) Adequate lavatory and toilet accommodations, including but not being limited to, running hot and cold water, soap or other acceptable agents (in sanitary dispensers), toilet tissue, and towels or other acceptable facilities for drying hands, shall be provided. Lavatories shall be in or near toilet and locker rooms and also at other places in the plant as may be essential to the cleanliness of all personnel handling products.

(B) Adequate lockers or other facilities, shall be provided for employees' wearing apparel, and for the storing and changing of clothing. Wearing apparel shall not be stored in rooms where processing operations are conducted.

(C) Suitable containers shall be provided for the temporary storage of soiled linen, coats, aprons, and other items of employees' uniforms or work clothing.

(D) Sufficient metal containers shall be provided for used towels and other wastes.

(E) An adequate number of hand washing facilities serving areas where dressed poultry and poultry products are prepared shall be operated by other than hand-operated controls, or shall be of a continuous flow type which provides an adequate flow of water for washing hands.

(F) Durable signs shall be posted conspicuously in each toilet room and locker room directing employees to wash their hands before returning to work.

(G) Adequate toilet facilities shall be provided and the following formula shall serve as a basis for determining the number of toilet bowls required:

Table 1

<u>Persons of Same Sex</u>	<u>Toilet Bowls Required</u>
1 to 15, inclusive	1
16 to 35, inclusive	2
36 to 55, inclusive	3 <sup>1</sup>
56 to 80, inclusive	4 <sup>1</sup>
For each additional 30 persons in excess of 80	1 <sup>1</sup>

<sup>1</sup> Urinals may be substituted for toilet bowls but only to the extent of one-third of the total number of bowls stated.

(H) Suitable sanitary drinking water facilities shall be provided.

(I) All toilets, lavatories, and other sanitary facilities shall be kept clean and in good repair.

532.038: Lighting and Ventilation

There shall be ample light, either natural or artificial or both, of good quality and well distributed, and sufficient ventilation for all rooms and compartments to insure sanitary conditions.

(A) All rooms in which poultry is killed, eviscerated, or otherwise processed shall have at least 30 foot candles of light intensity on all working surfaces, except that at the inspection stations such light intensity shall be of 50 foot candles. In all other rooms there shall be provided at least five foot candles of light intensity when measured at a distance of 30 inches from the floor.

(B) All rooms shall be adequately ventilated to eliminate objectionable odors and minimize moisture condensation.

532.041: Equipment and Utensils

Equipment and utensils used for preparing, processing, or otherwise handling any product in the plant shall be suitable for the purpose intended and shall be of such material and construction as will facilitate their thorough cleaning and insure cleanliness in the preparation and handling of products. Trucks and receptacles used for handling inedible products shall be of similar construction, shall be conspicuously and distinctly marked, and shall not be used for handling any poultry products or other edible products.

(A) Refuse Containers. Leak-proof refuse containers with covers shall be provided except that perforated containers may be used for the temporary collection of feathers and such containers need not be covered.

(B) Scalding Equipment.

(1) Scalding tanks shall be constructed and installed so as to prevent contamination of potable water lines and to permit water to enter continuously at a rate which will result in a satisfactory scalding operation. The rate of flow necessary to maintain a sanitary scalding operation will be determined on such factors as the class of poultry and the number of birds per minute going into the scalding tank. It shall be the responsibility of the inspector to establish a minimum rate of flow for each scalding tank in each official establishment.

(2) The overflow outlets in scalding equipment shall be of sufficient size to permit feathers and water to be carried off.

(3) The overflow, draw-off valves, and sediment basin drain shall discharge into a floor or valley drain, or onto the floor in close proximity to a floor or valley drain.

(C) Wax Finishing. When wax dipping is used, metal troughs shall be provided to catch



the wax removed from the dipped poultry. Acceptable facilities and methods shall be employed in reclaiming the wax.

(D) Ice Shovels. Ice shovels shall be smooth surfaced and entirely constructed of rust proof impervious material.

(E) Conveyors.

(1) Conveyors used in the preparation of ready-to-cook poultry shall be of metal or other acceptable material and of such construction as to permit easy identification of viscera with its carcass and so designed as will present each carcass or all parts thereof in a way that will permit adequate and efficient inspection.

(2) Overhead conveyors shall be so constructed and maintained that they will not allow grease, oil, or dirt to accumulate on the drop chain or shackle which shall be of noncorrosive metal.

(3) Nonmetallic belt-type conveyors used in moving poultry products shall be of water-proof composition.

(4) When individual trays are not used during eviscerating operations, each carcass shall be suspended and a metal trough or a trough constructed of other acceptable impervious material shall be provided beneath the conveyor. Such troughs shall be flushed continuously by a water spray and shall extend beneath the conveyor at all places where processing operations are conducted from the point where the carcass is opened to the point where the viscera have been completely removed.

(F) Chilling and Defrosting Tanks. Chilling and defrosting tanks shall be constructed of metal or other suitable material impervious to moisture and shall be of seamless construction with edges rolled outward. Where mechanical devices are not used for removing carcasses from the chilling or defrosting tanks, the tanks shall be of a size that will enable employees to remove poultry without getting inside the tanks.

(G) Tables. Inspection, eviscerating, and cutting tables shall be made of metal or other acceptable material, have coved corners, and be constructed and placed so as to permit thorough cleaning.

(H) Plants Lacking Conveyors. In plants where no conveyors are used, each carcass shall be eviscerated in an individual metal tray of seamless construction or in a tray of other acceptable material and construction.

(I) Water Spray Washing Equipment. Water spray washing equipment with sufficient water pressure to thoroughly and efficiently wash carcasses shall be used for washing carcasses inside and out.

(J) Offal Receptacles. Watertight metal receptacles shall be used for entrails and other waste resulting from preparation of eviscerated poultry.

(K) Trucks and Receptacles for Diseased Carcasses. Watertight trucks and receptacles for holding or handling diseased parts of carcasses shall be so constructed as to be readily and thoroughly cleaned; such trucks and receptacles shall be marked in a

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conspicuous manner with the word "condemned" in letters not less than two inches high and when required by the inspector in charge, shall be equipped with facilities for locking and sealing.

### 532.042: Accessibility

All equipment shall be placed so as to be readily accessible for all processing and cleaning operations.

Mechanical Pickers. When mechanical pickers are used they shall be installed so as to be accessible for thorough cleaning and removal of the accumulation of feathers.

### 532.043: Restrictions on Use

Equipment and utensils used in the official establishment shall not be used outside the official establishment, except under such conditions as may be prescribed or approved by the Director. Equipment used in the preparation of any article (including, but not limited to, animal food), from inedible material shall not be used outside of the inedible products department except under such conditions as may be prescribed or approved by the Director.

### 532.046: General Maintenance of Sanitary Conditions and Precautions Against Contamination of Products

The premises shall be kept free from refuse, waste materials and all other sources of objectionable odors and conditions.

### 532.047: Cleaning of Rooms and Compartments

Rooms, compartments, and other parts of the official establishment, shall be kept clean and in sanitary condition.

### 532.048: Cleaning of Equipment and Utensils

Equipment and utensils used for preparing or otherwise handling any poultry or poultry product shall be kept clean, sanitary, and in good repair.

(A) Batteries and dropping pans shall be cleaned regularly and the manure removed from the plant daily.

(B) Scalding tanks shall be completely emptied and thoroughly cleaned as often as may be necessary, but not less frequently than once a day when in use.

(C) All equipment and utensils used in the killing, roughing, and pinning rooms shall be thoroughly washed and cleaned at least once daily when in use.

(D) The chilling and packing room and equipment and utensils used therein shall be maintained in a clean and sanitary condition.

(E) Chilling or defrosting tanks shall be emptied after each use. They shall be thoroughly cleaned at least once daily when in use, except that when the same poultry is held therein in excess of 24 hours, the tanks shall be thoroughly cleaned after the poultry is removed therefrom and prior to re-use.

(F) Conveyor trays or belts which come in contact with raw products shall be completely washed and sanitized after each use.

(G) Tables, shelves, bins, trays, pans, knives, and all other tools and equipment used in the preparation of ready-to-cook poultry shall, after cleaning, be drained on racks and shall not be nested.

532.049: Operations and Procedures

Operations and procedures involving the preparation, storing, or handling of any product shall be strictly in accord with clean and sanitary methods, and shall be conducted in such a manner as will result in sanitary processing proper inspection, and the production of wholesome poultry and poultry products.

(A) Materials which create an objectionable condition shall not be handled or stored in rooms, compartments, or other places in the establishment where any product is prepared, stored, or otherwise handled.

(B) Poultry shall be slaughtered in such a manner that breathing has stopped prior to scalding. Blood from the killing operation shall be confined to a relatively small area.

(C) The pinning and finishing of dressed poultry shall be performed in a part of the room that is located sufficiently away from the killing and roughing operations to prevent contamination of the product.

(D) In finishing and cleaning dressed poultry, the vestigial feathers (hair or down as the case may be) shall be removed by singeing or other means, feed shall be removed from the crop without incising the tissues, and the fecal material in the cloaca shall be removed by venting. These operations shall be completed prior to, or during the final washing, but prior to chilling and packaging of such dressed poultry. Notwithstanding the foregoing, dressed poultry which is to be warm eviscerated is not required to be vented or singed if it is to be singed after evisceration and prior to packing, and dressed poultry which has been vented and singed and is to be eviscerated in an official establishment within 72 hours from time of slaughter may, when approved by the Director, be transferred by conveyor or operational type container or other approved means to such official establishment prior to removal of the feed in the crop.

(E) If dressed poultry is not to be immediately warm eviscerated, the head of each carcass shall be washed thoroughly either by automatic washer or manually to remove feed from the mouth and blood from the head and mouth.

(F) In the final washing of dressed poultry, the carcass shall be passed through a system of sprays providing an abundant supply of fresh clean water either under pressure or scrubbing action.

(G) Thawing Poultry in Water.

(1) Ready-to-Cook Poultry. When frozen ready-to-cook poultry is to be thawed in water, the thawing practices and procedures shall be such as will prevent product from becoming adulterated by the absorption of moisture and such poultry shall be thawed by one of the following methods:

(a) Thawed in continuous running tap water of sufficient volume and for such limited time as is necessary to thaw such poultry. The thawing media shall not exceed 70°F in temperature.

(b) Thawed in cooking kettles provided the temperature of the water is raised to cooking temperature as rapidly as possible.

(c) Thawed in recirculated water, maintained at a temperature not in excess of 50°F, for such limited time as is necessary to thaw such poultry.

(2) Dressed Poultry. Frozen dressed poultry shall not be thawed in tanks with continuously running water or residual water, but shall be thawed on metal racks or in perforated metal containers under a continuous water spray at a temperature not in excess of 70°F.

(H) Cuts for the removal of the viscera shall be limited to those necessary for proper processing operations and inspection. With respect to roaster style evisceration, opening cuts shall be made in such a manner that the skin between the thighs and rib cage will not be cut or torn open during the drawing operation. No additional cuts shall be made prior to chilling other than those necessary to perform the complete evisceration of the bird. With respect to poultry that is permitted to be opened by the "bar-cut" method, particular care shall be exercised in making transverse cuts so that the thigh areas will not be opened and the flesh at the posterior end of the keel will not be exposed. An occasional bird that is unintentionally opened in the aforesaid areas will be permitted. All birds which are opened by the "bar-cut" method shall be trussed (both legs) prior to chilling.

(I) The area at the junction of the neck with the body of the eviscerated bird shall be positively opened so that water will drain freely from the body cavity and not become trapped in the area between the neck skin and the neck.

(J) Ready-to-cook poultry shall be adequately drained to remove ice and free water prior to packaging or packing.

(K) Cut-up poultry shall be prepared from chilled carcasses (with or without necks) and the parts shall not be rechilled in ice and water or water but may be temporarily held in containers of crushed ice which are continuously drained pending further processing and packaging. Notwithstanding the foregoing, giblets and necks and certain parts resulting from special processing operations approved by the Director, may be chilled in agitated ice and water slush or refrigerated water for a period not in excess of 20 minutes.

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(L) All offal resulting from the evisceration operation shall be removed from the establishment as often as necessary to prevent the development of a nuisance.

(M) Containers to be used for packaging dressed poultry and ready-to-cook poultry shall be clean, free from objectionable substances and odors and of sufficient strength and durability to protect the product adequately during normal distribution.

(N) Paper and other material used for lining barrels or other containers in which products are packed shall be of such kinds as do not tear readily during use but remain intact when moistened by the product. Wooden containers to be used for packing poultry shall be fully lined except when the individual birds to be packed therein are fully wrapped.

(O) Protective coverings shall be used for the product, in the plant and as it is distributed from the plant, which are adequate to protect the product against contamination by any foreign substances (including, but not being limited to, dust, dirt, and insects) considering the means intended to be employed in transporting the product from the plant.

(P) Cleanliness and hygiene of personnel:

(1) All persons coming in contact with exposed poultry products, or poultry products handling equipment shall wear clean garments and suitable head coverings to prevent hair from falling into poultry products; and shall keep their hands and fingernails clean at all times while thus engaged.

(2) All persons with infected cuts, boils, or open sores on their hands shall not handle dressed poultry or poultry products, or poultry products handling equipment.

(3) Every person shall wash his hands thoroughly after each use of toilet or change of garments before returning to duties that require the handling of dressed poultry or poultry products or containers thereof, or poultry products handling equipment.

(4) The use of tobacco in any form, the eating of food, or any other objectionable personal habit which may result in a nuisance or an unsanitary condition, shall not be permitted in any room where exposed dressed poultry or poultry products are being prepared, processed, or otherwise handled.

### 532.050: Temperatures and Cooling and Freezing Procedures

Temperatures and procedures which are necessary for cooling and freezing dressed and ready-to-cook poultry, including all edible portions thereof, shall be in accordance with operating practices which insure the prompt removal of the animal heat and will preserve the condition and wholesomeness of the poultry.

(A) General Cooling Requirements. All poultry that is prepared or processed in the official establishment shall be cooled immediately after processing so that the internal temperature is reduced to 40°F or less, unless such poultry is to be further processed immediately at the official establishment. Poultry to be shipped from the plant in packaged form shall be maintained at 40°F or less, except that during further processing and packaging operations, the internal temperature may rise to a maximum of 55°F:

provided, that immediately after packaging, the poultry is placed under refrigeration at a temperature that will promptly lower the product to 40°F or less, or placed in a freezer promptly. Poultry which is to be held at the plant in packaged form in excess of 24 hours shall be held in a room at a temperature of 36°F or less.

(B) Ice and Water Chilling.

(1) Only ice manufactured or produced from potable water may be used for ice-water chilling. The ice shall be handled and stored in a sanitary manner. If of block type, the ice shall be washed by spraying all surfaces with clean water before crushing.

(2) Poultry carcasses shall be chilled to 40°F. or lower within the times specified below:

Table 1

<u>Weight of Carcass</u>	<u>Time (hours)</u>
Under four pounds	four
four to eight pounds	six
Over eight pounds	eight

Such chilled poultry shall be maintained constantly at 40°F or below until removed from the vats or tanks for immediate packaging. Poultry may be removed from the vats or tanks prior to being cooled to 40°F or lower for freezing or for further processing in the official establishment. Poultry shall not be packed until after it has been chilled to 40°F or below except when the packaging will be followed immediately by freezing at the official establishment.

(3) In order to facilitate continuous processing operations, poultry may be held overnight in chilling tanks containing water-saturated ice, refrigerated water, or other approved cooling media that will contain all poultry in the tanks at a temperature of 40°F, or lower. Practices (such as re-icing, recirculation of the chilling medium, or holding product in refrigerated rooms, or use of increased amounts of ice) shall be employed that will result in all of the poultry in the chilling tanks being maintained at a temperature of 40°F or lower throughout the holding period.

(a) Poultry which is to be held in chilling tanks in excess of 24 hours shall at the end of the 24-hour chilling period be removed from the tanks and repacked in clean ice and in clean tanks which are continually drained, or as an alternative, the tanks shall be drained and re-iced and placed in a cooler which will maintain all of the poultry in the tanks at a temperature of 40°F or below.

(b) Poultry washing, chilling, and draining practices and procedures shall be such as will minimize moisture absorption and retention at time of packaging. With respect to ready-to-cook poultry that is to be consumer packaged, frozen or cooked, the maximum moisture absorption and retention during washing, chilling, and draining processes shall not exceed, at the last readily accessible point at which the poultry carcasses can be selected for testing prior to packaging, the percentage limits set forth in the following tables:

Table 2

MAXIMUM LIMITS FOR ALL CLASSES OF POULTRY  
OTHER THAN TURKEYS, TO BE  
CONSUMER PACKAGED, FROZEN OR COOKED

Average ready-to-cook carcass weight prior to final washer (less necks and giblets)	Average percent increase in weight over weight of carcass prior to final washer (less necks and giblets)	
	Zone A	Zone B
	Product shall be retained if more than one test exceeds	Product shall be retained if any test exceeds
Chickens 4¼ lbs. and under	8.0	8.7
Chickens over 4¼ lbs. and all other classes of poultry other than turkeys	6.0	6.7

Table 3  
 MAXIMUM LIMITS FOR ALL TURKEYS TO BE  
 CONSUMER PACKAGED, FROZEN OR COOKED

Average ready-to-cook carcass weight prior to final washer (less necks and giblets)	Average percent increase in weight over weight of carcass prior to final washer (less necks and giblets)	
	Zone A Product shall be retained if more than one test ex- ceeds these limits	Zone B Product shall be retained if any test exceeds these limits
Less than 8 lbs. 8 ozs.	8.0	9.0
8 lbs. 9 ozs. - 15 lbs. 15 ozs.	6.0	6.4
16 lbs. - 16 lbs. 15 ozs.	5.8	6.05
17 lbs. - 17 lbs. 15 ozs.	5.5	5.75
18 lbs. - 18 lbs. 15 ozs.	5.3	5.55
19 lbs. - 19 lbs. 15 ozs.	5.1	5.35
20 lbs. - 20 lbs. 15 ozs.	4.9	5.15
21 lbs. - 21 lbs. 15 ozs.	4.8	5.05
22 lbs. - 22 lbs. 15 ozs.	4.6	4.85
23 lbs. - 23 lbs. 15 ozs.	4.5	4.75
24 lbs. - 26 lbs. 15 ozs.	4.4	4.65
27 lbs. and over	4.3	4.55

(c) With respect to ready-to-cook turkey carcasses that are to be cut up, the maximum amount of moisture absorption and retention shall not exceed (at the time the first cut is made) the percentage limits set forth in the following table:



Table 4  
MAXIMUM LIMITS FOR ALL TURKEYS TO BE CUT-UP

giblets)	Average ready-to-cook carcass weight prior to final washer (less necks and giblets)	Average percent increase in weight over weight of carcass prior to final washer (less necks and	
		Zone A	Zone B
		Product shall be retained if more than one test exceeds these limits	Product shall be retained if any test exceeds these limits
	Less than 8 lbs. 8 ozs.	9.0	10.0
	8 lbs. 9 ozs. - 15 lbs. 15 ozs.	7.0	7.4
	16 lbs. - 16 lbs. 15 ozs.	6.8	7.05
	17 lbs. - 17 lbs. 15 ozs.	6.5	6.75
	18 lbs. - 18 lbs. 15 ozs.	6.3	6.55
	19 lbs. - 19 lbs. 15 ozs.	6.1	6.35
	20 lbs. - 20 lbs. 15 ozs.	5.9	6.15
	21 lbs. - 21 lbs. 15 ozs.	5.8	6.05
	22 lbs. - 22 lbs. 15 ozs.	5.6	5.85
	23 lbs. - 23 lbs. 15 ozs.	5.5	5.75
	24 lbs. - 26 lbs. 15 ozs.	5.4	5.65
	27 lbs. and over	5.3	5.55

(d) With respect to ready-to-cook chicken carcasses, averaging 4¼ pounds or less, that are chilled in continuous chillers and further aged or chilled in slush ice and water prior to being cut up, the maximum amount of moisture absorption and retention shall not exceed (when placed on the cutup line) the percentage limits set forth in the following table:

Table 5  
AVERAGE PERCENT INCREASE IN WEIGHT OVER WEIGHT OF  
CARCASS PRIOR TO FINAL WASHER  
(LESS NECKS AND GIBLETS)

Zone A	Zone B
Product shall be retained if more than one test exceeds	Product shall be retained if any test exceeds

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10.0

11.0

With respect to ready-to-cook chicken carcasses, averaging 4¼ pounds or less, which are chilled in continuous chillers only prior to being cut up, the percentage limits set forth in 105 CMR 532.050(B)(3)e. shall apply.

(e) With respect to ready-to-cook poultry that is to be ice packed, the maximum amount of moisture absorption shall not exceed, at the last readily accessible point at which the poultry carcasses can be selected for testing on the drip line, the percentage limits set forth in the following table:

Table 6 MAXIMUM LIMITS FOR ICE PACK POULTRY AVERAGE PERCENT INCREASE IN WEIGHT OVER WEIGHT OF CARCASS PRIOR TO FINAL WASHER (LESS NECKS AND GIBLETS)	
Zone A	Zone B
Product shall be retained if more than one test exceeds	Product shall be retained if any test exceeds

12.0

13.0

With respect to all ice pack poultry, the loss of moisture during holding and transportation to the first destination shall result in moisture retention that is within the limits, applicable to the class of poultry involved, set forth in Zone A of Tables 2 and 3 in 105 CMR 532.050.

(f) Each official establishment may make adjustments in its washing, chilling, and draining methods provided it submits to the inspector at the establishment written notice of the proposed adjustments before any changes are made, and provided further, that the establishment, immediately after the change, selects, prepares, identifies, and weighs, individually a random sample of 50 ready-to-cook poultry carcasses prior to the final washer and again when they are removed from the drip line or other draining device immediately before packing. If the average weight of the 50 poultry carcasses taken before the final washer and their average weight after immediate removal from the drip line or draining device show that the product is in compliance with the Zone A moisture absorption limits, applicable to the class of poultry involved, set forth in 105 CMR 532.050, the adjustments will become the established washing, chilling, and draining system for the establishment.

If the results of the weighing of the sample of the carcasses show that the product exceeds the Zone A limits set forth in 105 CMR 532.050, the poultry will be retained in accordance with procedures. Retained poultry shall not released from the establishment until compliance is attained by following procedures set forth in 105 CMR 532.050(B)(3)g.

(g) Ten-bird tests shall be conducted at least daily by inspectors to assure compliance with the requirements of 105 CMR 532.050. The inspectors' ten-bird

test will be used to determine compliance. If the average weights of tested poultry from an official establishment show that they exceed the moisture absorption limits set forth in 105 CMR 532.050, all poultry of the class of poultry tested which is processed through the chilling system at that establishment after the test results were obtained, shall be retained by the inspector at the establishment, in accordance with a method approved by the Director, until a subsequent test shows that such poultry being processed at the establishment is in compliance with 105 CMR 532.050. Retained poultry shall not be released from the establishment until it is brought into compliance with the limits, applicable to the class of poultry retained, set forth in Zone A of Tables 2 and 3 of 105 CMR 532.050 by a method approved by the Director.

(h) The establishment shall provide scales, weights, identification devices, and other supplies necessary to conduct all moisture tests.

(i) The temperature of the chilling media in poultry chilling equipment shall not exceed 65°F. in the warmest part of the chilling system.

(4) Notwithstanding the foregoing cooling requirements, the Director is authorized to specify, under special circumstances, such additional cooling and handling methods as may be necessary to assure wholesome poultry and poultry products.

(C) Air Chilling. In air chilling, dressed poultry shall be placed in a refrigerated room with moderate air movement at a temperature which will reduce the internal temperature of the carcasses to 40°F or less within 24 hours. In air chilling ready-to-cook poultry, the internal temperature of the carcasses shall be reduced to 40°F or less within 16 hours.

(D) Cooling Giblets. Giblets shall be chilled to 40°F or lower within two hours from the time they are removed from the inedible viscera, except that when they are cooled with the carcass the requirements of 105 CMR 532.050(B)(2) and 532.050(F)(4) shall apply. Any of the acceptable methods of chilling the poultry carcass may be followed in cooling giblets, except that unwrapped livers shall not be cooled in agitated ice and water chilling media for a period in excess of 20 minutes but may be cooled in perforated containers which are immersed in non-circulated ice and water chilling media: Provided, that the livers are removed from the chilling containers when their temperature has been lowered to 40°F. When ready-to-cook birds are to be consumer packaged, the giblets shall be handled in a manner that will prevent free water from being included in the giblet package. The average basis weight of giblet wrapping material shall be not more than 30 pounds per standard ream (24" X 36" - 500 sheets) when tested in accordance with the Technical Association of the Pulp and Paper Industry (T.A.P.P.I.) Standard T-410 except the basis weight may exceed 30 pounds per standard ream when the absorbent capacity is such that the total weight of the material after moisture absorption is no greater than the total weight, after moisture absorption, of material weighing 30 pounds per standard ream. Test samples shall be conditioned in accordance with T.A.P.P.I. Standard T-402. The sample to be tested shall consist of ten sheets representative of the shipment or lot, and individual sheets within the sample may vary within normal tolerance from the required basis weight, but the average of the sample (ten sheets) shall not weigh in excess of 30 pounds per standard ream (24" X 36" - 500 sheets) except as specified above. The moisture absorption shall not exceed 200% of the dry weight (as conditioned in accordance with T.A.P.P.I. Standard T-402) and giblet

wrappers (uncreped) shall not exceed the following sizes or equivalents: Chicken and Ducks, 9" X 12", Turkeys 12" X 14".

(E) Other Chilling Procedures. Any other chilling procedure which will affect chilling in a manner equal to that obtained by the procedures herein set forth may be permitted when approved by the Director.

(F) Freezing.

(1) Dressed and ready-to-cook poultry which is to be or is labeled with descriptive terms such as "fresh frozen," "quick frozen" or "frozen fresh" or any other term implying a rapid change from a fresh state to a frozen state shall be placed into a freezer within 48 hours after initial chilling in accordance with 105 CMR 532.050(B) or 105 CMR 532.050(C). During this period, if such poultry is not immediately placed into a freezer after chilling and packaging, it shall be held at 36°F or lower. Dressed or ready-to-cook poultry handled in any manner other than as specified in 105 CMR 532.050(F)(1) and 532.050(F)(2) may be labeled "frozen" if it is frozen under Division supervision and is in fact in a frozen state.

(2) The freezing operation for dressed poultry shall be accomplished in such a manner as to bring the internal temperature of the birds in the center of the package to 0°F or below within 96 hours from the time of entering the freezer; whereas, ready-to-cook poultry shall be frozen in a manner so as to bring the internal temperature of the birds at the center of the package to 0°F or below within 72 hours from the time of entering the freezer.

(3) Upon written request, and under such conditions as may be prescribed by the Director, dressed and ready-to-cook poultry which is to be frozen immediately may be moved from the official establishment prior to freezing: provided, that the plant and freezer are so located and the necessary arrangements are made so that the inspector will have access to the freezing room and adequate opportunity to determine compliance with the time and temperature requirements specified in 105 CMR 532.050(F)(3).

(4) Warm packaged ready-to-cook poultry which is to be chilled by immediate entry into a freezer within the official establishment shall within two hours from time of slaughter be placed in a plate freezer or a freezer with a functioning circulating air system where a temperature of -10°F or lower is maintained.

(5) Frozen poultry shall be held under conditions which will maintain the product in a solidly frozen state with temperature maintained as constant as possible.

(6) Immersion or spray freezing equipment shall be constructed of non-corrosive metal or other acceptable material. Compounds used in immersion or spray freezing procedures shall be approved by the Director prior to use.

(7) Except as otherwise provided in 105 CMR 532.104, freezing facilities shall be provided within the official establishment for frozen poultry products other than ready-to-cook poultry.

(G) Ice-Pack Containers. When poultry is ice packed in barrels or other containers, the barrels and containers shall be covered and shall have an adequate number of drain holes to permit the water to drain out. However, the Director, upon written request and under such conditions as he may prescribe, may approve the shipment of poultry in operational

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type containers, such as chill tanks or lugs, from one official establishment to another official establishment for further processing.

### 532.051: Vermin

Every practicable precaution shall be taken to exclude flies, rats, mice, and other vermin from the official establishment. Dogs, cats, and other pets shall be excluded from rooms where poultry products and dressed poultry are processed, handled and stored.

### 532.052: Use of Compounds

Only germicides, insecticides, rodenticides, detergents, or wetting agents or other similar compounds which will not deleteriously affect the poultry or poultry products and which have been approved by the U.S.D.A. or registered for use in Massachusetts may be used in an official establishment. The use of such compounds shall be in a manner satisfactory to the Director.

### 532.053: Exclusion of Diseased Persons

No person affected with any communicable disease (including, but not being limited to, tuberculosis) in a transmissible stage shall be permitted in any room or compartment where exposed or unpacked dressed poultry or poultry products are prepared, processed, or otherwise handled.

### 532.061: *Ante Mortem* Inspection

An *ante mortem* inspection of poultry shall, where and to the extent considered necessary by the Director and under such instructions as he may issue from time to time, be made of poultry on the day of slaughter in any official establishment processing poultry for commerce.

### 532.062: Facilities for *Ante Mortem* Inspection

Batteries, coops, or other facilities in which live poultry is presented for *ante mortem* inspection shall be of such arrangement, construction, and shall be so placed with sufficient light provided so that the inspector can clearly see the birds to the extent needed to carry out an adequate inspection.

### 532.063: Condemnation on *Ante Mortem* Inspection

Birds plainly showing on *ante mortem* inspection any disease or condition, that under 105 CMR 532.079 through 532.091, would cause condemnation of their carcasses on *post mortem* inspection, shall be condemned. Birds which on *ante mortem* inspection are condemned shall not be dressed, nor shall they be conveyed into any department of the plant where poultry products are prepared or held. Poultry which has been condemned on *ante mortem* inspection and has been killed shall, under the supervision of an inspector of the Division, receive such treatment as that provided in 105 CMR 532.092.

532.064: Segregation of Suspects on *ante mortem* Inspection

All birds which on *ante mortem* inspection do not plainly show, but are suspected of being affected with any disease or condition that under 105 CMR 532.079 through 532.091 may cause condemnation in whole or in part on *post mortem* inspection, shall be segregated from the other poultry and held for separate slaughter, evisceration, and *post mortem* inspection. The inspector shall be notified when such segregated lots are presented for *post mortem* inspection and inspection of such birds shall be conducted separately. Such procedure for the correlation of *ante mortem* and *post mortem* findings by the inspector, as may be prescribed or approved by the Director, shall be carried out.

532.065: Quarantine of Diseased Poultry

If live poultry, which is affected by any contagious disease which is transmissible to man, is brought into an official establishment, such poultry shall be segregated. The slaughtering of such poultry shall be deferred and the poultry shall be dealt with in one of the following ways:

(A) If it is determined by a veterinary inspector that further handling of the poultry will not create a health hazard, the lot shall be subject to *ante mortem* and *post mortem* inspection pursuant to 105 CMR 532.065.

(B) If it is determined by a veterinary inspector that further handling of the poultry will create a health hazard, such poultry may be released for treatment under the control of the appropriate State or Federal agency. If the circumstances are such that release for treatment is impracticable, a careful bird-by-bird *ante mortem* inspection shall be made, and all birds found to be, or which are suspected of being, affected with the contagious disease transmissible to man shall be condemned.

532.071: Evisceration

A *post mortem* inspection shall be made on a bird-by-bird basis on all poultry eviscerated in an official establishment. No viscera or any part thereof shall be removed from any dressed poultry which is to be processed under inspection in any official establishment, except at the time of evisceration and inspection. Each carcass to be eviscerated shall be opened so as to expose the organs and the body cavity for proper examination by the inspector and shall be prepared immediately after inspection as ready-to-cook poultry. If a carcass is frozen, it shall be thoroughly thawed before being opened for examination by the inspector. Each carcass, or all parts comprising such carcass, shall be examined by the inspector. However, the Director may, whenever he deems it advisable and under such conditions as he may require to carry out the purposes of St. 1970, c. 891, authorize the removal, from any carcass or parts thereof, prior to inspection, of any part which will not be used in the preparation of any edible product.

532.072: Carcasses Held for Further Examination

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Each carcass, including all parts thereof, in which there is any lesion of disease, or other condition which might render such carcass or any part thereof unfit for human food, and with respect to which a final decision cannot be made on first examination by the inspector, shall be held for further examination. The identity of each such carcass, including all parts thereof, shall be maintained until a final examination has been completed.

### 532.073: Condemnation of Carcasses

At the time of evisceration under inspection service each carcass, or any part thereof, which is found to be unsound, unwholesome, or otherwise unfit for human food shall be condemned.

### 532.074: Passing of Carcasses

Each carcass and all parts and organs thereof which are found to be sound, wholesome, unadulterated, and fit for human food, shall be passed.

### 532.079: General Disposition of Diseased Poultry Carcasses and Parts

The carcass or parts of carcasses of all poultry inspected at an official establishment and found at the time of *post mortem* inspection, or at any subsequent inspection, to be affected with any of the diseases or conditions named in other sections of 105 CMR 532.000, shall be disposed of in accordance with the section pertaining to the disease or condition. Owing to the fact that it is impracticable to formulate rules for each specific disease or condition and to designate at just what stage a disease process results in an unwholesome product, the decision as to the disposal of all carcasses, parts, or organs not specifically covered by 105 CMR 532.000, or by instructions of the Director issued pursuant thereto, shall be left to the inspector, and if the inspector is in doubt concerning the disposition to be made, specimens from such carcasses shall be forwarded to the laboratory for diagnosis.

### 532.080: Tuberculosis

Carcasses of poultry affected with tuberculosis shall be condemned.

### 532.081: Diseases of the Leukosis Complex

Carcasses of poultry affected with any one or more of the several forms of the avian leukosis complex shall be condemned.

### 532.082: Septicemia or Toxemia

Carcasses of poultry showing evidence of any septicemic or toxemic disease, or showing evidence of an abnormal physiologic state, shall be condemned.

### 532.083: Special Diseases

Carcasses of poultry showing evidence of any disease which is characterized by the presence, in the meat, of organisms or toxins dangerous to the consumer, shall be condemned.

532.084: Inflammatory Processes

Any organ or part of a carcass which is affected by an inflammatory process shall be condemned and, if there is evidence of general systemic disturbance, the whole carcass shall be condemned.

532.085: Tumors

Any organ or part of a carcass which is affected by a tumor shall be condemned and when there is evidence of metastasis or that the general condition of the bird has been affected by the size, position, or nature of the tumor, the whole carcass shall be condemned.

532.086: Parasites

Edible organs or parts of carcasses which are found to be infested with parasites, or which show lesions of such infestation shall be condemned and, if the whole carcass is affected, the whole carcass shall be condemned.

532.087: Bruises

Any part of a carcass which is badly bruised shall be condemned and, if the whole carcass is affected as a result of the bruise, the whole carcass shall be condemned. Parts of a carcass, which show only slight reddening from a bruise, may be passed for food.

532.088: Cadavers

Carcasses of poultry showing evidence of having died from causes other than slaughter shall be condemned.

532.089: Contamination

Carcasses of poultry contaminated by volatile oils, paints, poisons, gases, scald vat water in the air sac system, or other substances which affect the wholesomeness of the carcasses, shall be condemned. Any organ or part of a carcass which has been contaminated following mutilation shall be condemned, and if the whole carcass is affected, the whole carcass shall be condemned.

532.090: Overscald

Carcasses of poultry which have been overscalded resulting in a cooked appearance of the flesh shall be condemned.



532.091: Decomposition

Carcasses of poultry deleteriously affected by *post mortem* changes shall be disposed of as follows:

- (A) Carcasses which have reached a state of putrefaction or stinking fermentation shall be condemned.
- (B) Any part of a carcass which is green struck shall be condemned and, if the carcass is so extensively affected that removal of affected parts is impracticable, the whole carcass shall be condemned.
- (C) Carcasses affected by types of *post mortem* change which are superficial in nature may be certified for food after removal and condemnation of affected parts.

532.092: Disposal of Condemned Carcasses and Parts

All condemned carcasses, or parts of carcasses shall be disposed of by one of the following methods, under the supervision of an inspector of the Division. (Facilities and materials for carrying out the requirements in this section shall be furnished by the official establishment.)

- (A) Steam treatment (which shall be accomplished by processing the condemned product in a pressure tank under at least 40 pounds of steam pressure) or thorough cooking in a kettle or vat, and processing for a sufficient time to effectively destroy the product for human food purposes and preclude dissemination of disease through consumption by animals. Tanks and equipment used for this purpose or for rendering or preparing inedible products shall be in rooms or compartments separate from those used for the preparation of edible products. There shall be no direct connection, by means of pipes, or otherwise, between tanks containing inedible products and those containing edible products.
- (B) Incineration or complete destruction by burning.
- (C) Chemical denaturing, which shall be accomplished by the liberal application to all carcasses and parts thereof, of:
  - (1) Crude carbolic acid
  - (2) Kerosene, fuel oil or used crank case oil, or
  - (3) Any phenolic disinfectant conforming to commercial standards CS 70-41 or CS 71-41 which shall be used in at least 2% emulsion or solution.
  - (4) Any other substance that the Director approves which will de-characterize the carcasses or parts to the extent necessary to accomplish the purposes of 105 CMR 532.092.

532.095: Reinspection of Poultry and Other Products; Ingredients

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(A) No poultry or poultry product may be brought into an official establishment unless it has been prepared and inspected and passed in accordance with 105 CMR 532.000, or in accordance with U.S.D.A. regulations and not otherwise prepared, and the container of such product is marked so as to identify the article as so inspected and passed, in accordance with 105 CMR 532.130, and no meat or meat food product of cattle, sheep, swine, goats or horses may be brought into an official establishment unless it has been prepared and inspected and passed in accordance with St. 1970, c. 891, The Massachusetts Meat Inspection Regulations or in accordance with the Meat Inspection Act, as amended and extended (21 U.S.C. 71 *et seq.*), or the Imported Meat Act (19 U.S.C. 1306 (b)-(c)) and the regulations under 9 CFR Ch. III, Subchapter A, and has not been otherwise prepared, and is properly marked as so inspected and passed. All poultry, poultry products, meat and meat food products shall be reinspected by an inspector at the time they are brought into the official establishment. Upon reinspection, if any such product or portion thereof is found to be unsound, unwholesome, adulterated or otherwise unfit for human food, such product, or portion thereof, shall, in the case of poultry and poultry products, be condemned and shall receive such treatment as that provided in 105 CMR 532.092 and shall, in the case of other products, be disposed of according to applicable law.

(B) Any product which is prepared under inspection in an official establishment shall be inspected in such establishment as often as the inspector deems it necessary in order to ascertain whether the product is sound, wholesome, and fit for human food at the time it leaves the establishment. Upon any such inspection, if any product or portion thereof is found to be unsound, unwholesome, or otherwise unfit for human food, such product or portion thereof shall be condemned and shall receive such treatment as that provided in 105 CMR 532.092.

(C) All substances and ingredients used in the manufacture or preparation of any poultry product shall be clean, sound, wholesome, and fit for human food. Liquid, frozen and dried egg products used in the preparation of any poultry product shall have been prepared under continuous inspection of the U.S.D.A. or a State inspection program pursuant to The Egg Products Inspection Act (P.L. 91-597).

(D) (1) The use of chemical additives in or on raw poultry products, other than salt (NaCl)

which is added to chilling media in concentrations not in excess of 70 pounds to 10,000 gallons of water as an aid in chilling, shall be permitted only when they are approved by the Director, and each unit (whole carcass, disjointed portion, or consumer package thereof) of the poultry product so treated shall be labeled to declare the additive used and the purpose of its use. Notwithstanding the foregoing, the Director may authorize the shipment of raw poultry products so labeled only on the shipping container from an official establishment

(a) to another official establishment for further processing, packaging and labeling of each unit in accordance with 105 CMR 532.095(D)(1) and other applicable regulations in 105 CMR 532.000;

(b) for sale to institutional users such as hotels and restaurants.

(2) The use of chemical additives, other than basic food stuffs and seasonings, in

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cooked poultry products shall be permitted only when they are approved by The U.S. Department of Agriculture or The Food and Drug Administration. The Director may require in addition to listing in the statement of ingredients, a declaration of the additive used and the purpose of its use.

### 532.096: Confiscation Tags

An inspector may use such confiscation tags or other devices and methods as may be approved by the Director, for the identification and control of

(A) Products which are not in compliance with 105 CMR 532.000 and/or which are held for further examination and

(B) Any equipment, utensils, rooms, or compartments which are found to be unclean or otherwise in violation of any of 105 CMR 532.000. No product, equipment, utensil, room, or compartment so identified shall be released for use until it has been made acceptable. Such identification shall not be removed by anyone other than an inspector.

### 532.098: Appeal Inspections; How Made

Any person receiving inspection service may, if dissatisfied with any decision of an inspector relating to any inspection, file an appeal from such decision: provided, that such appeal is filed within 48 hours from the time the decision was made. Any such appeal from a decision of an inspector shall be made to his immediate superior having jurisdiction over the subject matter of the appeal. Review of such appeal findings, when requested, shall be made by the Director of the Division.

### 532.100: Manner in Which Canned Products Shall Be Processed and Handled

Canned poultry products which are heat treated after closing or sealing shall be processed and handled in accordance with the following requirements:

(A) Immediate containers (whether of metal, glass, or other material) shall be cleaned thoroughly by washing in an inverted position with running water of a temperature of at least 180°F., or by other means acceptable to the Director, immediately prior to filling with poultry products; and precautions shall be taken to avoid any subsequent soilage of the inner surfaces of such containers. (B) Only perfect closure is acceptable for hermetically sealed containers; and heat processing of the products in such containers shall follow immediately after closing.

(1) Except as provided in 105 CMR 532.100(E), such products shall be so processed at such temperature and for such period of time as will insure preservation of the products under usual conditions of storage and transportation.

(2) Immediately after closing, and again after the containers have cooled sufficiently for handling after heat processing, careful examination shall be made by competent plant employees to ascertain whether the containers are perfectly sealed. The poultry products in such containers as are defectively closed or sealed shall, as promptly as practicable, be filled into other containers, hermetically sealed, and heat processed

unless the containers are promptly placed in a cooler at a temperature not exceeding 36°F under conditions that will promptly and effectively chill them. Such chilled containers of products shall be opened and the contents removed and reprocessed immediately after removal from the cooler: provided, that if such containers remained in the cooler for a period of 24 hours or longer, the contents shall be inspected by an inspector prior to the reprocessing thereof. Failure to comply with the provisions of 105 CMR 532.100(B)(2) shall subject the poultry products to condemnation.

(C) After heat processing, and after the containers have cooled sufficiently for handling, the containers shall be examined by competent plant employees and shall not be passed unless showing the external characteristics of sound containers.

(D) After heat processing, any containers of poultry products showing characteristics of short vacuum or overstuffed containers shall, when an inspector deems it necessary in order to determine whether spoilage of the product has taken place, be incubated under the supervision of an inspector, after which the containers shall be opened and sound products passed for food and spoiled products condemned.

(E) Poultry products may, when authorized by the Director, and under such conditions as he may prescribe and approve, be canned without steam pressure cooking, and such products, if frozen, shall be labeled "keep frozen," and if they are not frozen, they shall be labeled "perishable, keep under refrigeration."

(F) Each lot of canned poultry products shall be identified, during the handling preparatory to heat processing, by tagging the baskets, cases, or containers with a tag which will change color on going through the heat processing or by other effective means which will positively prevent failure to heat process.

(G) Facilities shall be provided to incubate at least representative samples of fully processed canned poultry products. The incubation shall consist of holding the samples for at least ten days at about 95°F. The extent to which incubation tests shall be required will depend on conditions such as the efficiency of the plant in conducting canning operations, the kind of equipment used, and the degree of efficiency at which such equipment is maintained.

(1) In the event the official establishment fails to provide suitable facilities for incubation of test samples of any lot of fully processed canned poultry products, the inspector may require holding of the entire lot under such conditions and for such period of time as will, in his discretion, be necessary to ascertain the stability of the product.

(2) The inspector may, prior to completion of any required incubation of a representative sample, permit lots of fully processed canned poultry products to be shipped from the official plant when he has no reason to suspect unsoundness of such products; however, such shipments shall be made under circumstances which will assure the return of the products to the plant for reinspection should such action be indicated by the incubation results.

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(H) All canned products shall be plainly and permanently marked, by code or otherwise, on the containers, with the identity of the contents and date of canning, except that canned products packed in glass containers are not required to be marked with the date of canning if such information appears on the shipping container. If the marking is by code, its meaning shall be furnished to the inspector.

### 532.101: Cooking of Poultry Rolls Required

When poultry rolls are heat processed in any manner, cured and smoked poultry rolls shall reach an internal temperature of at least 155°F prior to being removed from the cooking media, and all other poultry rolls shall reach an internal temperature of at least 160°F prior to being removed from the cooking media.

### 532.104: Processing Requirements

Processing procedures with respect to frozen ready-to-heat-and-eat poultry products or stuffed ready-to-roast poultry shall be in accordance with sound operating practices and carried out in a manner which will assure wholesomeness of the products. Products to be frozen shall be moved into the freezer promptly under such supervision as will assure preservation of the products by prompt and efficient freezing. Adequate freezing facilities shall be provided within the official establishment where products to be frozen are prepared, except that, upon written request, and under such conditions as may be prescribed by the Director, such products may be moved from the official establishment prior to freezing; provided, that the official establishment and freezer are so located and the necessary arrangements are made so that the inspector will have access to the freezing room and adequate opportunity to determine that the products are being properly handled and frozen.

### 532.105: Coding Requirements

Either the shipping container or the immediate container of frozen poultry food products shall be plainly and permanently marked, by code or otherwise, with the date of packaging. If the marking is by code, the inspector shall be informed as to its meaning.

### 532.107: Procedure for Handling

(A) In the event there is polluted water (including, but not being limited to, flood water) in an official establishment, all poultry and poultry products and ingredients used in the preparation of such products that have been or may have been contaminated by the water shall be inspected by the inspector and condemned if found to be contaminated.

(B) After the polluted water has receded, all walls, ceilings, posts and floors of the rooms and compartments involved, including the equipment therein, shall, under the supervision of an inspector, be cleaned thoroughly. An adequate supply of hot water, under pressure, is essential for effective cleaning. After cleansing, a solution of sodium hypochlorite containing approximately ½ of 1% of available chlorine (5,000 parts per million), or other disinfectant approved by the Director, shall be applied; and all metal

surfaces shall be rinsed thoroughly with water to prevent corrosion. Any equipment that will afterwards be used in connection with any poultry product shall be rinsed thoroughly with clean water before being used.

(C) Hermetically sealed containers of poultry products which have been submerged in, or otherwise contaminated by, the polluted water shall be rehandled promptly under supervision of an inspector as follows:

- (1) Such containers as are swollen or leaky or otherwise do not show the external characteristics of sound containers shall be segregated and the contents thereof condemned.
- (2) Any labels, attached or affixed to the remaining containers shall be removed and the containers washed in warm soapy water; and, if necessary to remove rust and other foreign material, a brush shall be used.
- (3) Thereafter, such containers shall be immersed in a solution of sodium hypochlorite containing not less than 100 parts per million of available chlorine, or other disinfectant approved specifically for this purpose by the Director, and rinsed in clean fresh water and dried thoroughly. Any such containers which show extensive rusting or corrosion, such as might materially weaken the container, shall be opened under the supervision of an inspector. The poultry products from such containers that are found by the inspector to be sound and wholesome shall be passed for human food.
- (4) The remaining containers may be relacquered, if necessary, and then relabeled with approved labels applicable to the poultry products therein.
- (5) The identity of the canned poultry products shall be maintained throughout all stages of the rehandling operation to insure correct labeling of the containers.

532.110: Preparation of Animal Food or Other Articles in an Official Establishment

(A) Requirements Applicable When Prepared in an Edible Products Department. When an article (including, but not being limited to, animal food) that is not for use as human food is prepared in any room or compartment in an official establishment where poultry products are prepared or handled (such room or compartment being herein referred to as "edible products departments"), sufficient space and equipment shall be provided to assure that the preparation of the article in no way interferes with the preparation or handling of the poultry products. Where necessary, separate equipment shall be provided for the preparation of the article. To assure the maintenance of the requisite sanitary conditions in the edible products department, the operations incident to the preparation of the article shall be subject to the same sanitary requirements as apply to the edible products department. Preparation of the article shall be limited to those hours during which the official establishment operates under the supervision of an inspector. The ingredients used in the preparation of the article shall unless otherwise approved by the Director, be such as may be used in the preparation of a poultry product. The article may be stored in, and distributed from, the edible products department if the article is properly identified.

(B) Requirements Applicable When Prepared in an Inedible Products Department. When any article (including, but not being limited to, animal food) that is not for use as

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human food, is prepared in any part of an official establishment other than an edible products department (such part of the establishment being herein referred to as "inedible products department"), the area in which such article is prepared shall be distinctly separated from all edible products departments. Poultry products and inedible products may be brought from any edible products department into any inedible products department, but no poultry product or inedible product from an inedible products department may be brought into an edible products department except under such conditions as may be prescribed or approved by the Director. Any such articles as are in sealed containers or are handled in the manner prescribed or approved by the Director may be brought into an edible products department. Diseased carcasses or diseased parts of any carcass shall not be used in the preparation of any animal food unless it has been treated in the manner prescribed in 105 CMR 532.092(A). Trucks or containers used for the transportation of poultry products or inedible products into an inedible products department shall be cleaned before being returned to or brought into an edible products department. Sufficient space shall be allotted and adequate equipment and facilities provided so that the preparation of the article does not interfere with the preparation of poultry products in the plant or the maintenance of the requisite sanitary conditions in the official establishment. The preparation of any article shall be subject to supervision by an inspector.

(C) Containers to be Labeled. The immediate container of any such article that is prepared in an official establishment shall be conspicuously labeled so as to distinguish it from human food.

### 532.113: Report of Inspection Work

Reports of the inspection work carried on within official establishments shall be forwarded to the Director by the inspector in such a manner as may be specified by the Director.

### 532.114: Information to be Furnished to Inspectors

When inspection service is performed within an official establishment, the applicant for such inspection service shall furnish the inspector rendering such service information and assistance as may be required for the purpose of preparing certificates, reports, and the performance of other official duties.

### 532.115 Report of Violations

Each inspector, agent, representative, or employee of the Division shall report, in the manner prescribed by the Director, all violations of St. 1970, c. 891 and non-compliance with 105 CMR 532.000 of which he has knowledge.

### 532.125: Containers of Poultry Required to be Labeled

Except as may be authorized by the Director with respect to shipment of products between official establishments, each shipping container and each immediate container

of any product shall at the time it leaves the official establishment bear approved labels containing information in accordance with the provisions set forth in 105 CMR 532.126 through 532.146 and St. 1970, c. 891.

532.126: Preparation of Marking Devices Bearing the Official Inspection Mark Without Advance Approval Prohibited; Exception

Except for the purpose of preparing and submitting a sample or samples of marking devices, or imprints prepared therefrom, to the Director for approval, no person shall procure, make, or prepare, or cause to be procured, made, or prepared, any stencil, or other marking device bearing official identification or any abbreviation, copy or representation thereof, for use on any product without the written authority therefor of the Director. However, when any sample stencil, or other marking device or an imprint prepared therefrom is approved by the Director for a particular applicant, additional supplies of such stencil, or other marking device of a character identical to such approved sample may be procured, made, or prepared by such applicant, for use in accordance with 105 CMR 532.000, without further approval by the Director.

532.127: Labels to be Approved by the Director

No label, except printer's proofs bearing official identification shall be printed until the printer's proof or a photostatic copy has been found by the Director to be acceptable; and no label or imprint bearing official identification shall be used until finished copies or samples thereof have been approved by the Director, except that approval may be given to printer's final proofs or photostatic copies of labels or samples of stenciled and rubber stamped imprints for shipping containers or containers for institutional packs, and no such labels or imprints shall be used until such proofs or copies have been approved by the Director.

532.128: Unauthorized Use or Disposition of Approved Labels

Labels or imprints approved for use pursuant to 105 CMR 532.126 and 532.127 shall be used only for the purpose for which approved, and shall not be disposed of from the plant for which approved except with written approval of the Director. Any unauthorized use or disposition of approved labels or labels bearing official identification may result in cancellation of the approval.

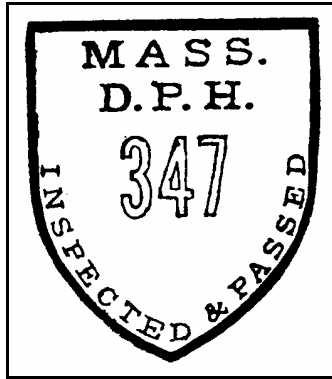
532.129: Wording and Form of the Inspection Mark

Except as otherwise authorized, the inspection mark required to be used with respect to inspected poultry products shall include wording as follows: "Mass. D. P. H. Inspected and Passed." The form and arrangement of such wording shall be exactly as indicated in the example, except that the appropriate plant number shall be shown, and if the plant number appears elsewhere on the labeling material in the manner prescribed in 105 CMR 532.130(A)(6), it may be omitted from the inspection mark. The Director may approve the use of abbreviations of such inspection mark; and such approved abbreviations shall have the same force and effect as the inspection mark. The inspection



mark, or the approved abbreviation thereof, shall be printed on consumer packages, or on a label to be securely affixed to such packages. The inspection mark, or approved abbreviation thereof, shall be applied to shipping containers and may be printed or stenciled thereon, but shall not be applied to rubber stamping.

Figure 1.



532.130: Wording on Labels

(A) Each label approved for use on immediate containers for poultry products shall bear the following items of information which shall be in distinctly legible form, shall read in the same general direction, and shall be generally parallel to each other:

- (1) The common or usual name of the poultry product.
- (2) A statement of ingredients if fabricated from two or more ingredients, including a declaration as to artificial flavors, colors, or preservatives, if any. Such ingredients shall be listed by their common or usual names in the order of their descending proportions. For the purpose of 105 CMR 532.130(A)(2), the term "chicken meat," unless modified by an appropriate adjective, is construed to mean deboned white and dark meat; whereas, the term "chicken" may include other edible parts such as skin and fat not in excess of their natural proportions, in addition to the chicken meat. If the term "chicken meat" is listed and the product also contains skin, giblets, or fat, it is necessary to list each such ingredient. This terminology shall apply to poultry products prepared from other kinds of poultry where applicable.
- (3) The net weight or other appropriate measure of the contents, except that the Director may approve the use of labels for certain types of consumer packages which do not bear the net weight: provided, that the shipping container bears a statement "Net Weight to be marked on consumer packages prior to display and sale": and provided further, that the total net weight of the contents of the shipping container is marked on such container: and provided further, that the shipping container bears a statement "Tare weight of consumer package: and in close proximity thereto, the actual tare weight (weight of packaging material), weighed to the nearest one-eighth ounce or less, of the individual consumer package in the shipping container. The above specified statements may be added to approved shipping container labels upon approval by the inspector. The net weight marked on containers of poultry products shall be the net weight of the poultry products and shall not include the weights of

the wet or dry packaging materials and giblet wrapping materials. When a poultry product and a non-poultry product are separately wrapped and are placed in a single immediate container bearing the name of both products, the net weight shown on such immediate container may be the total net weight of the two products, or such immediate container may show the net weights of the poultry product and the non-poultry product separately.

Notwithstanding the other provisions of 105 CMR 532.130(A)(3), for ready-to-cook, whole carcass stuffed poultry, ready-to-cook stuffed poultry roasts, rolls, bars, and logs, and ready-to-cook, stuffed poultry products designated by terms of similar import, the label must show the total net weight of the poultry product and in proximity thereto, a statement specifying the minimum weight of poultry in the product.

(4) The name and address of the packer or distributor and when the name of the distributor is shown, it shall be qualified by such term as "packed for," "distributed by," or "distributors."

(5) The official inspection mark.

(6) The plant number of the official establishment in which the product was inspected, either within the official inspection mark or clearly visible and in close proximity elsewhere on the exterior of the container, or in the case of canned product, the plant number may be embossed on the lid of each can. In the case of non-transparent consumer packages such as cartons, the plant number may be legibly printed thereon or it may be shown on an insert label placed on top of the product within the package. In the case of transparent wrappers, the plant number may be shown on an insert label and so placed under the transparent covering that it will be clearly visible and legible.

(B) Each label approved for use on a shipping container shall bear in distinctly legible form the following information:

(1) The official inspection mark.

(2) The plant number of the official establishment in which the product was inspected, either within the official inspection mark, or elsewhere on the container clearly visible and in close proximity to the official inspection mark.

(C) Any label which bears the official inspection mark or any written, printed or graphic matter upon or accompanying any poultry product inspected or required to be inspected pursuant to 105 CMR 532.000 shall not bear any statement that is false or misleading. If the Director has reason to believe that any label in use or prepared for use is false or misleading in any particular, he may direct that the use of the label be withheld unless it is modified in such manner as the Director may prescribe so that it will not be false or misleading. If the person using or proposing to use the label does not accept the determination of the Director, he may request a hearing, but the use of the label shall, if the Director so directs, be withheld pending hearing and final determination by the Director. Any person so denied the approval of any label shall be notified promptly of the reasons for the denial. A written application for a hearing with respect to the denial may be filed by said person with the Director within ten days after notice of the denial. Such petition shall state specifically the errors alleged to have been made by the Director

in denying approval of the label. After consideration of the facts adduced at the hearing, any determination with respect to the matter by the Director shall be conclusive.

532.131: False or Deceptive Terms or Devices; and Other Labeling Requirements

(A) No product, and no container thereof, shall be labeled with any false or deceptive name, but established trade names which are usual to such articles and are not false or deceptive and which have been approved by the Director may be used.

(B) No statement, word, picture, design, or device, which is false or misleading in any particular or conveys any false impression or gives any false indication of origin, identity, quality, or character shall appear on any label. For example:

(1) Official grade designations such as the letter grades A, B, and C may be used in labeling individual carcasses of poultry and consumer packages of poultry and poultry products only if such poultry has been graded by a licensed grader of the Federal or Federal-State poultry grading service.

(2) Terms having geographical significance with reference to a particular locality may be used only when the product was produced in that locality.

(3) Terms, such as "baby," may be used to indicate immaturity of poultry which is marketed earlier than the usual marketing age: provided, that such terms are printed in a style and size of type no larger than is used to indicate the name of the product.

(C) Poultry products which have been treated with compounds to retard spoilage shall be labeled to indicate such treatment.

(D) The terminology specified in 105 CMR 532.131(D)(1) through 532.131(D)(10) are applicable to parts of poultry cut in the manner described therein.

(1) "Breasts" shall be separated from the back at the shoulder joint and by a cut running backward and downward from that point along the junction of the vertebral and sternal ribs. The ribs may be removed from the breasts, and the breasts may be cut along the breast bone to make two approximately equal halves; or the wishbone portion, as described in 105 CMR 532.131(D)(3), may be removed before cutting the remainder along the breast bone to make three parts. Pieces cut in this manner may be substituted for lighter or heavier pieces for exact weight-making purposes and the package may contain two or more of such parts without affecting the appropriateness of the labeling as "chicken breasts." Neck skin shall not be included with the breasts.

(2) Breasts with ribs shall be separated from the back at the junction of the vertebral ribs and back. Breasts with ribs may be cut along the breast bone to make two approximately equal halves; or the wishbone portion, as described in 105 CMR 532.131(D)(3), may be removed before cutting the remainder along the breast bone to make three parts. Pieces cut in this manner may be substituted for lighter or heavier pieces for exact weight-making purposes and the package may contain two or more of such parts without affecting the appropriateness of the labeling as "breasts with ribs." Neck skin shall not be included.

(3) "Wishbones" (Pulley Bones), with covering muscle and skin tissue, shall be severed from the breast approximately halfway between the end of the wishbone (hypocondrium) and front point of the breast bone (cranial process of the sternal crest)

to a point where the wishbone joins the shoulder. Neck skin shall not be included with the wishbone.

(4) "Drumsticks" shall be separated from the thigh by a cut through the knee joint (femorotibial and patellar joint) and from the hock joint (tarsal joint).

(5) "Thighs" shall be disjointed at the hip joint and may include the pelvic meat, but shall not include the pelvic bones. Back skin shall not be included.

(6) "Legs" shall include the whole leg, i.e. the thigh and the drumstick, whether jointed or disjointed. Back skin shall not be included.

(7) "Wings" shall include the entire wing with all muscle and skin tissue intact, except that the wing tip may be removed.

(8) "Backs" shall include the pelvic bones and all the vertebrae posterior to the shoulder joint. The meat shall not be peeled from the pelvic bones. The vertebral ribs and/or scapula may be removed or included without affecting the appropriateness of the title. Skin shall be substantially intact.

(9) "Stripped backs" shall include the vertebrae from the shoulder joint to the tail, and include the pelvic bones. The meat may be stripped off of the pelvic bones.

(10) "Necks", with or without neck skin, shall be separated from the carcass at the shoulder joint.

(11) Parts of poultry may be cut in any manner the processor desires as long as the labeling appropriately reflects the contents of the container of such poultry.

(E) The name of the product required to be shown on labels for fresh or frozen raw whole carcasses of poultry shall be in either of the following forms: The name of the kind (such a chicken, turkey, or duck) preceded by the qualifying term "young" or "mature" or "old", whichever is appropriate; or the appropriate class name as described in 105 CMR 532.131(F). The name of the kind may be used in addition to the class name, but the name of the kind alone without the qualifying age or class term is not acceptable as the name of the product. The class name may be appropriately modified by changing the word form such as using the term "roasting chicken", rather than "roaster". The name "chicken" may be used without qualification with respect to a ready-to-cook pack of frozen cut-up young chickens, or a half of a young chicken, and the name "duckling" may be used without qualification with respect to a ready-to-cook pack of fresh or frozen young ducks. The appropriate names for cut-up parts are set forth in 105 CMR 532.131(D). When naming parts cut from young poultry, the identity of both the kind of poultry and the name of the part shall be included in the product name. The product name for parts or portions cut from mature poultry shall include, along with the part or portion name, the class name or the qualifying term "mature". The name of the product for cooked or heat processed poultry products shall include the kind name of the poultry from which the product was prepared.

(F) The appropriate class names for the various kinds of poultry are as follows:

(1) Chickens.

(a) Rock Cornish game hen or Cornish game hen. A Rock Cornish game hen or Cornish game hen is a young immature chicken (usually five to six weeks of age) weighing not more than two pounds ready-to-cook weight, which was prepared from a Cornish chicken or the progeny of a Cornish chicken crossed with another breed of chicken.

- (b) Broiler or fryer. A broiler or fryer is a young chicken (usually nine to 12 weeks of age), of either sex, that is tender-meated with soft, pliable, smooth-textured skin and flexible breastbone cartilage.
- (c) Roaster. A roaster is a young chicken (usually three to five months of age), of either sex, that is tender-meated with soft, pliable, smooth-textured skin and breastbone cartilage that may be somewhat less flexible than that of a broiler or fryer.
- (d) Capon. A capon is a surgically unsexed male chicken (usually under eight months of age) that is tender-meated with soft, pliable, smooth-textured skin.
- (e) Stag. A stag is a male chicken (usually under ten months of age) with coarse skin, somewhat toughened and darkened flesh, and considerable hardening of the breastbone cartilage. Stags show a condition of fleshing and a degree of maturity intermediate between that of a roaster and a cock or old rooster.
- (f) Hen or stewing chicken or fowl. A hen or stewing chicken or fowl is a mature female chicken (usually more than ten months of age) with meat less tender than that of a roaster, and nonflexible breastbone tip.
- (g) Cock or rooster. A cock or rooster is a mature male chicken with coarse skin, toughened and darkened meat, and hardened breastbone tip.
- (2) Turkeys.
  - (a) Fryer-roaster turkey. A fryer-roaster turkey is a young immature turkey (usually under 16 weeks of age), of either sex, that is tender-meated with soft, pliable, smooth-textured skin, and flexible breastbone cartilage.
  - (b) Young hen turkey. A young hen turkey is a young female turkey (usually five to seven months of age) that is tender-meated with soft, pliable, smooth-textured skin, and breastbone cartilage that is somewhat less flexible than in a fryer-roaster turkey.
  - (c) Young tom turkey. A young tom turkey is a young male turkey (usually five to seven months of age), that is tender-meated with soft, pliable, smooth-textured skin, and breastbone cartilage that is somewhat less flexible than in a fryer-roaster turkey.
  - (d) Yearling hen turkey. A yearling hen turkey is a fully matured female turkey (usually under 15 months of age) that is reasonably tender-meated and with reasonably smooth-textured skin.
  - (e) Yearling tom turkey. A yearling tom turkey is a fully matured male turkey (usually under 15 months of age) that is reasonably tender-meated and with reasonably smooth-textured skin.
  - (f) Mature turkey or old turkey (hen or tom). A mature or old turkey is an old turkey of either sex (usually in excess of 15 months of age) with coarse skin and toughened flesh.
- (3) Ducks.
  - (a) Broiler duckling or fryer duckling is a young duck (usually under eight weeks of age), of either sex, that is tender-meated and has a soft bill and soft windpipe.
  - (b) Roaster duckling. A roaster duckling is a young duck (usually under 16 weeks of age), of either sex, that is tender-meated and has a bill that is not completely hardened and a windpipe that is easily dented.
  - (c) Mature duck or old duck. A mature duck or an old duck is a duck (usually

over six months of age), of either sex, with toughened flesh, hardened bill, and hardened windpipe.

(4) Geese.

(a) Young goose. A young goose may be of either sex, is tender-meated, and has a windpipe that is easily dented.

(b) Mature goose or old goose. A mature goose or old goose may be of either sex and has toughened flesh and hardened windpipe.

(5) Guineas.

(a) Young guinea. A young guinea may be of either sex, is tender-meated, and has a flexible breastbone cartilage.

(b) Mature guinea or old guinea. A mature guinea or an old guinea may be of either sex, has toughened flesh, and a hardened breastbone.

532.132: Formulas Required

Copies of each label submitted for approval shall, when the Director requires, be accompanied by a statement showing the kinds and percentages of the ingredients by their common or usual names comprising the poultry product and by a statement indicating the method of preparation of the product with respect to which the label is to be used. Approximate percentages may be given in cases where the percentages of ingredients may vary from time to time, if the limits of variation are stated.

532.133: Wording Permitted on Food Products Containing Poultry Products

Any label which is to be affixed to a container of any food products containing poultry product which is packed under the supervision of an inspector in any official establishment may bear the phrase: "The poultry product contained herein has been inspected at an establishment where Mass. inspection is maintained." Each such trade label shall also be subject to the applicable provisions of 105 CMR 532.126 and 532.127. Such food products containing poultry products or any container thereof shall not bear the official inspection mark, or any abbreviation or representation thereof.

532.134: Product Specification for Labeling Purposes

(A) Authorization to establish specifications. The Director is authorized to establish specifications covering the principal constituents of any poultry food product with respect to which a specified name of the product or other labeling terminology may be used, whenever such action is necessary to prevent sale of the product under a false or deceptive name or other false or misleading labeling. The requirements of 105 CMR 532.134 are hereby found to be necessary for this purpose.

(B) Labeling terminology for light and dark chicken or turkey meat. Product containing light and dark chicken or turkey meat in quantities other than natural proportions, as indicated in Table 1, must have a qualifying statement in close conjunction with the name of the product indicating, as shown in Table 1 of 105 CMR 532.134, the types of meat actually used, except that when the product contains less than 10% cooked deboned poultry meat or is processed in a manner that the character of the light and dark meat is

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not distinguishable, the qualifying statement must be in type at least ½ the size and of equal boldness as the name of the product; *e.g.*, Boned Turkey (Dark Meat). If a product contains light and dark meat in natural proportions and bears a label referring to light or dark meat content, the label shall include a qualifying statement in accordance with 105 CMR 532.134(B).

Table 1.

Terminology	Percent light meat	Percent dark meat
Natural proportions	50-65	50-35.
Light or white meat	100	0.
Dark meat	0	100.
Light and dark meat	51-65	49-35.
Dark and light meat	35-49	65-51.
Mostly white meat	66 or more	34 or less.
Mostly dark meat	34 or less	66 or more.

(C) Poultry Meat Content of Poultry Food Products.

(1) General.

(a) Where cooked poultry meat is specified in 105 CMR 532.134 as an ingredient of poultry food products, this means poultry meat derived from poultry processed, cooked and cooled in a manner approved by the Director without use of liquid or moisture in direct contact with the poultry meat following the cooking and cooling of the poultry.

(b) If, following cooking and cooling of poultry meat to be used in poultry food products, liquid or moisture is used in direct contact with such poultry meat and the percentage of solids, excluding salt, in the poultry meat is found to be below 34% when such poultry meat is tested by approved methods, the percentage of poultry meat required by 105 CMR 532.134 for any poultry food product shall be increased in proportion to the deficiency, or the meat shall be so processed as to raise the solids content, excluding salt, to 34%. The official plant shall furnish adequate facilities for such testing.

(2) Canned Boned Poultry.

(a) Canned boned poultry shall, unless otherwise specified in 105 CMR 532.134(C)(2), be prepared from cooked deboned poultry meat and may contain skin and fat, not in excess of natural proportions. Gelatin, stabilizers or similar solidifying or emulsifying agents shall not be added to product labeled "Boned

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(Kind) -- Solid Pack," but may be added in quantities not in excess of a total of 0.5% of the total ingredients in the preparation of other canned boned poultry products and in such case the common name of the substance added shall be included in the name of the product, *e.g.*, "Boned Chicken with Broth -- Gelatin Added."

(b) Canned boned poultry, except poultry within 105 CMR 532.134(C)(2)d., shall meet the requirements set forth in Table 2 of 105 CMR 532.134. The percentages in Table 2 shall be calculated on the basis of the total ingredients used in the preparation of the product.

(c) Canned shredded poultry (Shredded (Kind)) consists of poultry meat from the back, wings, and neck, separately or in combination, and shall be prepared as set forth in Table 2, item 1, 2, 3, or 4 of 105 CMR 532.134, whichever is applicable. In addition, poultry meat from other parts may be used. Skin and fat not in excess of natural proportions of the parts used may be included.

(d) Canned boned poultry with natural juices (Boned (Kind) with natural juices) shall be prepared from either raw boned poultry meat or a mixture of raw boned poultry meat and cooked boned poultry meat, and shall have no liquid added during the preparation of the product.



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Table 2.

Product name	Minimum percent cooked deboned poultry meat of kind indicated, with skin, fat, and seasoning	Maximum percent liquid that may be added <sup>1</sup>
1. Boned (Kind) Solid Pack	95	5
2. Boned (Kind)	90	10
3. Boned (Kind) with Broth <sup>2</sup>	80	20
4. Boned (Kind) with Broth <sup>2,3</sup>	50	50
5. Strained or Chopped (Kind) with Broth <sup>2,4</sup>	43	57

<sup>1</sup> Liquid may be in the form of, but is not limited to, broth or extractives.

<sup>2</sup> Alternatively, product may be prepared from raw boned poultry meat in combination with cooked boned poultry meat so long as the product complies with the specified standard.

<sup>3</sup> Total amount of liquid added shall be included in the name of the product; *e.g.*, "Boned Chicken with 25% Broth."

<sup>4</sup> Label must indicate in some manner that product is for infant or geriatric servings.

(3) Poultry Dinners (Frozen) and Pies. Poultry dinners (frozen) and pies shall meet the requirements set forth in Table 3 of 105 CMR 532.134(C)(3) and the percentage or weight shall be calculated on the basis of total ingredients used in the preparation of the products.

Table 3.

Product name	Minimum cooked deboned poultry meat of kind indicated		Minimum raw deboned poultry meat of kind indicated	
	Percent	Weight	Percent	Weight
(Kind) Pies	14	or 1½ oz. or per 8-oz. pie	25	or 2 oz. per 8 oz. pie
(Kind) Dinners	18 <sup>1,2</sup>	2 oz. <sup>2</sup>		

<sup>1</sup> Excluding weight of appetizers, desserts, *etc.*

<sup>2</sup> 18% or 2 ounces, whichever is greater. A minimum of 45% or 5 ounces per dinner, whichever is greater, of cooked poultry including bone and breading may be used in lieu of minimum 18% or 2 ounces cooked deboned poultry meat and the cooked poultry including bone and breading shall not contain more than 30% breading.

(4) Poultry Rolls.

(a) Binding agents, including but not limited to gelatin and wheat gluten, may be added in quantities not in excess of a total of 3% for cooked rolls and 2% for raw rolls, based on the total ingredients used in the preparation of the product, without affecting the name of the product. However, when such agents are added in excess of 3% or 2%, whichever is applicable, the common name of the agent or the agent or the term "Binders Added" shall be included in the name of the product; *e.g.*, "Turkey Roll -- Gelatin Added."

(b) With respect to heat processed rolls, 2% or less liquid based on the weight of the finished product without liquid may remain with or be returned to product labeled as "(Kind) Roll."

(c) Heat processed rolls which have more than 2% liquid remaining with or returned to the product shall be labeled as "(Kind) Roll with Natural Juices." If more than 2% of any liquid other than natural cookout juices is added, the product must be labeled to indicate that fact; *e.g.*, "Turkey Roll with Broth." Liquid shall not be returned or added to product within 105 CMR 532.134(C)(4)c. in excess of the amount normally cooked out during preparation.

(5) (Kind)-Burgers. Such product shall consist of 100% poultry meat of the kind indicated, with skin and fat not in excess of natural proportions. Product containing fillers or binders shall be named "(Kind) Patties."

(6) Other Poultry Dishes and Specialty Items.

(a) Poultry dishes and specialty items listed in Table 4 of 105 CMR 532.134 shall meet the requirements set forth in said Table, irrespective of the type of packaging, and the percentages in Table 4 shall be calculated on a ready-to-serve basis, except that soup bases in institutional packs which are prepared for sale to institutional users shall have a minimum of 15% cooked deboned poultry meat based on the weight of the soup base product. Products similar to those listed in Table 4, but having less than the specified minimum poultry meat content, may use the "Kind" name in the product name, provided it is appropriately qualified to distinguish such products from those containing the specified minimum meat content.

(b) Products of the types specified in 105 CMR 532.208 will be deemed to have false, deceptive or misleading labeling if they use the "Kind" name of the poultry (chicken, turkey, *etc.*) in the product name without appropriate qualification. For example, a consumer packaged noodle soup product containing less than 2% chicken meat on a ready-to-serve basis may not be labeled as "Chicken Noodle Soup" but, when appropriate, could be labeled as "Chicken Flavored Noodle Soup."

Table 4.

Product name <sup>1</sup>	Minimum % cooked deboned poultry meat of kind indicated	Minimum % cooked poultry of kind indicated, including bone
(Kind) Ravioli	2	
(Kind) Soup	2	
Chop Suey with (Kind)	2	
(Kind) Chop Suey	4	
(Kind) Chow Mein with-out noodles	4	
(Kind) Tamales	6	
Noodles or Dumplings with (Kind) <sup>2</sup>	6	
(Kind) Stew	12	
(Kind) Fricassee of Wings		40
(Kind) Noodles or Dumplings <sup>2</sup>	15	30
Creamed (Kind)	20	
(Kind) Cacciatore	20	40
(Kind) Fricassee	20	40
(Kind) A-La-King	20	
Sliced (Kind) with Gravy	35	
Minced (Kind) Barbecue	40	

<sup>1</sup> The product name may contain other appropriate descriptive term such as "noodle"; *e.g.*, "Chicken Noodle Soup."

<sup>2</sup> Product also includes rice or similar starches.

#### 532.136: Wording and Form of the Dressed Poultry Identification Mark

The dressed poultry identification mark required by 105 CMR 532.137(A) to be used with respect to dressed poultry which is shipped from an official establishment shall include wording as follows: "Dressed Poultry -- Eligible for Further Processing in Official Establishments under Mass. D.P.H. Inspection." Such labels shall also set forth the applicable plant number and shall be marked with a lot number which shall be the number of the day of the year the poultry was slaughtered or a coded number, the meaning of which shall be made known to the Division. This wording shall be contained within a rectangle not less than 1½" x 3" in size. The form and arrangement of such wording shall be as indicated in the example in Figure 1.

Figure 1.

DRESSED POULTRY  
ELIGIBLE FOR FURTHER  
PROCESSING

In Official Establishments Under  
Mass. D.P.H. Inspection

Plant No. 000.

Lot 000

532.137: Labeling of Dressed Poultry

(A) Wording on Labels for Dressed Poultry. The provisions of 105 CMR 532.127 shall apply to labels for dressed poultry to be shipped in commerce or to another official establishment, except that the dressed poultry identification mark shall be shown, but the official inspection mark shall not be shown on such labels.

(B) Approval of Labels for Dressed Poultry. Any label which bears the dressed poultry identification mark shall be subject to the provisions of 105 CMR 532.126 through 536.128. Only labels which have been approved by the Director may be used on containers for dressed poultry which is to be shipped in foreign commerce or to another official establishment.

532.138: Evidence of Label Approval

No inspector shall authorize the use of official identification for any inspected product unless he has on file evidence that such official identification or packaging material bearing such official identification has been approved in accordance with 105 CMR 536.127.

532.139: Modifications of Approved Labels

(A) The inspector may permit the use of approved labels or other markings which have been modified as follows: provided, that the labeling or marking as modified is so used as not to be false or deceptive:

- (1) All features of the label or marking are proportionately enlarged, with color scheme changes, if any, limited to those which will result in the same degree of legibility of each part of the modified label or marking as that of the approved label or marking.
- (2) Changes in the figures denoting the quantity of contents or when there is substitution of such abbreviations as "lb." for "pound," "oz." for "ounce," or the "pound" or "ounce" is substituted for the abbreviation.

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(3) The name and address of the distributor have been included in the blank space following the words "prepared for" or a similar statement, on a master or stock label which was approved with the understanding that such information would be added later.

(4) Addition during Christmas and other holiday seasons of wrappers or overprints in floral or foilage designs, or illustrations or rabbits, chicks, fire works, or other emblematic holiday designs to approved labels or markings. The use of such designs shall not obscure any mandatory information.

(5) A slight change in arrangement of directions pertaining to the opening of cans or the serving of the product.

(6) The appropriate name or class of the poultry has been added to a master or stock label which was approved without this information appearing on the label.

(B) The inspector shall send a copy of all such modified labels to the Director.

### 532.140: Approvals Made by Inspectors

The inspector may approve labels for containers of product sold under a contract specification to governmental agencies when such product is not offered for resale to the general public: provided, that the contract specifications include complete specific requirements with respect to labeling, and are made available to the inspector.

### 532.141: Affixing of Official Identification

No official identification or any abbreviation, copy or representation thereof may be affixed to or placed on or caused to be affixed to or placed on any product or container thereof except by an inspector or under the supervision of an inspector or other person authorized by the Director. All such products shall have been inspected as required by 105 CMR 532.141.

### 532.142: Removal of Official Identification

Official establishments which receive dressed poultry or ready-to-cook poultry in containers which bear official identification shall remove or deface such identification upon removal of such poultry from the containers.

### 532.143: Packaging

No container which bears or may bear an inspection mark or any abbreviation or copy or representation thereof may be filled in whole or in part except with poultry products which were inspected and passed and are, at the time of such filling, sound, wholesome and fit for human food. All such filling of containers shall be under the supervision of an inspector.

### 532.144: Relabeling Product

When it is claimed by an official establishment that some of its labeled poultry

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product, which has been transported to a location other than an official establishment, is in need of relabeling on account of the labels having become mutilated or damaged, or for some other reason needs relabeling, the requests for relabeling the poultry product shall be sent to the Director and accompanied with a statement of the reasons therefor and the number of labels required. Labeling material intended for relabeling inspected and passed product shall not be transported from an official establishment until permission has been received from the Director. The relabeling of inspected and passed product with official labels shall be done under the supervision of an inspector.

### 532.145: Rescindment of Label Approvals

Once a year, or more often if necessary, each official establishment shall submit to the Director a list in triplicate of approved labels that have become obsolete, accompanied with a statement that such labels are no longer desired. The labels shall be identified by the date of approval, and the name of product or other designation showing the class of material.

### 532.147: Products of Poultry Not Intended for Human Food

Products of poultry that are not intended for use as human food may after they have been denatured by an approved substance and procedure, be shipped from the official establishment and in commerce even though they do not comply with all of 105 CMR 532.000 applicable to poultry products. However with respect to such items as poultry heads, feet, or parts which are inedible due to causes other than disease, it is not required that these items be denatured if they are mixed with the offal prepared for animal food and marked as such or marked "Not fit for human food." Moreover, feet and heads which are kept separate from the offal and which have not been prepared as poultry products may be shipped from the official establishment and in commerce if they are marked "Not fit for human food." The containers of all such products shall bear the name and address of the packer or distributor, and when the name of the distributor is shown, it shall be qualified by such terms as "packed for," "distributed by," or "distributors." In addition, the containers of such products shall bear the plant number of the plant where packed and shall not bear the official inspection mark.

### 532.148: Labeling of Poultry Products at Retail Stores

Retailers who handle only inspected poultry products may use placards or labels in conjunction with the display of inspected poultry products to indicate that they have been inspected by the Department. Such labels shall be submitted to the Director for approval prior to their printing and use. Retailers using such labels shall furnish proof, upon the request of an inspector of the Division, that the poultry products so labeled are in fact inspected products. This section shall not be construed to allow any person to falsify make, issue, alter, forge, simulate or counterfeit any official inspection identifications, and official inspection identifications shall not be applied to any products except at official establishments under 105 CMR 532.148.

### 532.152: Records of Transactions

Persons engaged in the business of processing, transporting, shipping, or receiving poultry slaughtered for human consumption or poultry products in commerce, or holding such products so received, shall maintain complete, accurate, and legible records of such transactions as hereinafter provided, and shall, upon the request of a duly authorized representative of the Director, permit him at reasonable times to have access to and to copy all such records.

(A) Forms of Records. Where a person maintains, subject to inspection, copies of bills of lading, shipping invoices, warehouse receipts, or similar documents which give the information required in 105 CMR 5321.152. Additional records are not to be kept by 105 CMR 532.152.

(B) Processors. Processors shall keep copies of bills of sale, or the initial bills of lading or other shipping papers, which give the name or description of products sold, shipped, or received in commerce, net weight, number of shipping containers, name and address of the buyer (if known), name and address of the consignee or receiver (if different than the buyer), if known, address at the destination, method of shipment, and name of the carrier.

(C) Transportation Agencies. Transportation agencies shall maintain records showing the name or description of the products transported in commerce, weight (indicating net or gross), number of shipping containers, date of receipt, name and address of shipper, name and address of consignee, date of arrival at destination, and name of the person accepting products for consignee. When more than one transportation agency is used for any shipment, each such agency shall maintain such records, to the extent it is concerned.

(D) Public Warehouse or Storage Companies. Public warehouse or storage companies shall maintain records showing the name or description of products shipped or received in commerce, name and address of the owner, date of arrival, weight (indicating net or gross), number of shipping containers, name of carrier delivering products to the warehouse or storage point, name of carrier picking up products at warehouse or storage point for delivery, date of shipment, and name and address of consignee or receiver.

(E) Wholesalers, Jobbers, or Other Distributors of Poultry or Poultry Products for Resale. Persons such as wholesalers, jobbers, and other distributors receiving products which are intended for resale shall maintain records showing the name or description of the products shipped or received in commerce, name and address of the seller of the products, date of receipt, net weight, number of shipping containers, and name of the carrier.

(F) Retailers. Retailers receiving products directly in commerce shall maintain records showing the name or description of such products, the name and address of the seller of the products, the date of receipt, net weight or number of head, and the number of shipping containers in the shipment.

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(G) Record Retention Period. Any record required to be maintained by 105 CMR 532.152 shall be maintained for a period of two years after the transaction which is the subject of such record has taken place.

532.153: Shipment of Dressed Poultry in Commerce

Dressed poultry or any poultry slaughtered for human food or any part thereof, separately or in combination with other ingredients (other than poultry products) shall not be delivered, received, transported, sold or offered for sale or transport in commerce or from an official establishment, except as provided in 105 CMR 532.000: provided, that such poultry may be transported from one official establishment to another official establishment.

532.156: Distribution of Inspected Products to Small Lot Buyers

For the purpose of facilitating the distribution in commerce of inspected poultry products to small lot buyers (such as small restaurants), distributors or jobbers may remove inspected poultry products from shipping containers or immediate containers, other than consumer packages, and place them into other shipping containers which do not bear the inspection mark: provided, that the individual carcasses or consumer packages of the poultry products bear the inspection mark and the plant number of the establishment that processed such products: And provided further, that the shipping container is marked with the name and address of the distributor or jobber and bears the statement "The poultry product contained herein was inspected by the Mass. D.P.H." However, in lieu of such statement the container of imported products shall bear a statement that "The products contained herein have been approved for importation under P.P.I.A."

532.157: Penalties Inapplicable to Carriers and Public Warehousemen

No carrier or public warehouseman shall be subject to the penalties of M.G.L. c. 94, § 118 *et seq.* by reason of his receipt, carriage, holding, or delivery, in the usual course of business, as a carrier or warehouseman, respectively, of slaughtered poultry or poultry products, owned by another person, unless the carrier or warehouseman has knowledge, or is in possession of facts which would cause a reasonable person to believe that such slaughtered poultry or poultry products were not inspected or marked in accordance with the provisions of M.G.L. c. 94, § 118 *et seq.* or were not otherwise eligible for transportation under M.G.L. c. 94, § 118 *et seq.*.

532.163: Surrender of License

Each license which is suspended, or revoked, or has expired shall promptly be surrendered by the licensee to the inspector. Upon termination of the services of a licensed inspector the licensee shall promptly surrender his license to the inspector.

532.164: Identification



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Each inspector shall have in his possession at all times, and present upon request while on duty, the means of identification furnished by the Division to such person.

### 532.165: Access to Establishments

An inspector shall have access at all times, by day or night, whether the establishment is in operation or not, to the premises or any part thereof of an establishment engaged in processing poultry or poultry products for commerce, or in or for marketing in a designated major consuming area, upon presentation of appropriate credentials.

### 532.166: Financial Interest of Inspectors

No inspector shall inspect any product in which he is financially interested.

### 532.168: Time of Inspection

The inspector who is to perform the inspection in an official establishment shall be informed, in advance, of the hours when such inspection will be required.

### 532.169: Schedule of Operation of Official Establishment

Operating schedules of an official establishment shall be subject to approval of the Director, and for the purpose of 105 CMR 532.169 the normal operating schedule shall consist of a continuous eight-hour period per day (excluding not to exceed one hour for lunch), five days per week, within the period of Monday through Saturday, for each full shift required. Any variation from such Monday through Saturday schedule of operation must be fully justified and approved in advance. Clock hours of daily operations are not to be specified in a schedule although as a condition of continuance of approval of a schedule the hours of operation must be reasonably uniform from day to day.

### 532.170: Overtime Inspection Service

When operations in an official establishment require the services of inspection personnel beyond their regularly assigned tour of duty on any day, or on a day outside the established schedule, such services are considered as overtime work. The official establishment shall request permission to work overtime at least 24 hours in advance.

### 532.171: Holiday Inspection Service

When an official establishment requires inspection service on a holiday, such service is considered holiday work. The official establishment shall at least 24 hours in advance of such holiday work, request the inspector to furnish inspection service during such period.

### 532.200: Producer Exemptions

Poultry producers are hereby exempted from continuous inspection under 105 CMR

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532.004 through 532.025, 105 CMR 532.031 through 532.114, 105 CMR 532.118 through 532.147, and need not apply for exemption therefrom, with respect to poultry of their own raising on their own farms which they sell either as dressed poultry or poultry products directly to household consumers or restaurants, hotels, and boarding houses for use in their own dining rooms or in the preparation of meals for sales direct to consumers only: provided, that such poultry producers do not engage in buying and selling poultry products other than those produced from poultry raised on their own farms: and provided further, that such poultry is healthy and is slaughtered and processed under such sanitary standards, practices and procedures as result in the preparation of sound, healthful and wholesome poultry and poultry products, and shipping containers of such poultry and poultry products shall bear the producer's name and address and the statement "Exempted", and neither such producer or distributor slaughters or processes the products of more than 5,000 turkeys or an equivalent number of poultry of all species in the current calendar year (four birds of other species being deemed the equivalent of one turkey).

### 532.201: Retail Dealer Exemptions

Retail dealers are hereby exempted from continuous inspection with respect to poultry products sold directly to consumers in the individual retail stores: provided, that they perform no processing operation except the cutting up of poultry products on the premises where such products are sold to consumers and any cutting up of poultry products is done under such sanitary standards, practices, and procedures as result in the preparation of poultry products that are not adulterated: and provided further, that the poultry products sold are derived from Mass. or U. S. inspected and passed birds and such products are not adulterated or misbranded at the time of sale. (For the purposes of 105 CMR 532.201, a retail dealer is any person who sells poultry products directly to a household consumer, hotel, restaurant or similar institution and whose sales to household consumers constitute in terms of dollar value at least 75% of his total sales of poultry products.)

### 532.202: Slaughter -- Processing Exemptions

The slaughtering of sound and healthy poultry or the processing of poultry products of such poultry by a person for distribution by him directly to household consumers, restaurants, hotels, and boarding houses for use in their own dining rooms, or in the preparation of meals for sales direct to consumers is exempt from the inspection and other requirements of the act: provided, that such poultry is slaughtered and processed and handled under such sanitary standards, practices, and procedures as result in the preparation of poultry products that are sound, clean, and fit for human food consumption when distributed by such processor; such poultry products when so distributed bear (in lieu of labeling that would otherwise be required) the processors name and address and the statement "Exempted" and such poultry products are not otherwise misbranded; and such processor does not engage in the current calendar year in the business of buying or selling any poultry or poultry products other than as specified in 105 CMR 532.202.

532.203: Farm Slaughter

Farm slaughter is exempt from inspection when the slaughtering is carried out by any person slaughtering poultry of his own raising, and the processing by him and transportation of the poultry products is exclusively for use by him and members of his household and his nonpaying guests and employees: provided, that such poultry is healthy and is slaughtered and processed under such sanitary standards, practices and procedures as result in the preparation of poultry products that are sound, clean and fit for human food, and the shipping containers of such poultry bear the producer's name and address and the statement "Exempted".

532.204: Custom Slaughter

Custom slaughter is exempt from the requirements for inspection when the slaughtering is done by any person of poultry delivered by the owner thereof for such slaughter, and the processing by such slaughterer and transportation of the poultry products is for the exclusive use, in the household of such owner, by him and members of his household and his nonpaying guests and employees: provided, that such custom slaughterer does not engage in the business of buying or selling any poultry products capable of use as human food: and provided, further, such poultry is healthy and is slaughtered and processed under such sanitary standards, practices and procedures as result in the preparation of poultry products that are sound, clean and fit for human food, and the shipping containers of such poultry products bears the owner's name and address and the statement "Exempted".

532.205: Exemptions Based on Religious Dietary Laws

Any person who slaughters or processes poultry or poultry products which have been or are to be processed as required by recognized religious dietary laws may apply for exemption from specific provisions of 105 CMR 532.000 which are in conflict with such religious dietary laws. The necessary procedures and conditions under which such exemptions may be issued are as follows:

- (A) An "Application for a License to Process Meat and Poultry" is completed by the applicant.
- (B) Applicant submits plant drawings in accordance with 105 CMR 532.000.
- (C) Applicant applies in writing to the Commissioner setting forth the provisions of the religious dietary laws in support of the requested exemption.
- (D) Applicant for exemption shall submit a statement from the clerical official having jurisdiction over the enforcement of the religious dietary laws which outlines the reasons the exemption is necessary and a certification that specific provisions of 105 CMR 532.000 which are in conflict with the religious dietary laws. An example follows:
- (E) Applicant must comply with all the sanitary standards, practices and procedures

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required by 105 CMR 532.000 for official plants except those requirements that are exempt.

(F) Applicant must submit labels (plumb) which identifies the clerical official under whose supervision the poultry was slaughtered. Slaughtered (uneviscerated) poultry must be individually identified.

(G) Applicant must submit shipping container labels for approval. Such labels must bear the plant number and the statement "Dressed Poultry Processed under Mass. Exemption Permit No. 000," in lieu of the inspection mark.

(H) An "Exemption Certificate" will be issued by the Director upon completion of the above to establishments having a "grant of inspection." \*

(I) A form "Supplemental Applications for Label Approval" must be forwarded to the applicant for completion as specified and returned to the Director with initial labels, which identify poultry or poultry product as "Kosher." Only one "supplemental application" is necessary since subsequent labels submitted will be considered on the basis of the original application.

\* See Form 2 in 105 CMR 532.205.

Form 1.

I am an Orthodox Jewish Rabbi having been ordained in \_\_\_\_\_  
at \_\_\_\_\_.

I presently preside over the Congregation  
\_\_\_\_\_ in which city I reside at  
\_\_\_\_\_.

I make this affidavit on behalf of the  
\_\_\_\_\_ at which plant I am responsible for insuring  
compliance with the Laws of Kashruth (Jewish Dietary Laws) in the slaughtering of Poultry.

Pursuant to M.G.L. c. 94, § 130, I request that the Commissioner of Public Health grant to the said  
the following exemption:

THAT \_\_\_\_\_ WILL NOT BE REQUIRED TO EVISCERATE KOSHER DRESSED

POULTRY BEFORE ITS SHIPMENT IN COMMERCE.

This exemption is necessitated by the requirements of the Laws of Kashruth that the Jewish housewife either eviscerate her own poultry or personally supervise its evisceration. After the poultry has been eviscerated in her presence she examines the viscera to determine whether the poultry conforms with the Laws of Kashruth. If there is doubt in her mind, she is required to submit the viscera to her Rabbi for examination and advice as to whether she may use the bird.

WHEREFORE, I respectfully request that the exemption asked for above be granted to

\_\_\_\_\_ by the Commissioner of Public Health.

Form 2.

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF PUBLIC HEALTH

No.

EXEMPTION CERTIFICATE

This is to certify that

having an official establishment at

is hereby exempted from the provisions of M.G.L. c. 94, § 130 with respect to Kosher non-eviscerated poultry prepared at the official establishment specified above and is authorized to slaughter poultry and to process, and sell and transport in commerce and from said establishment, such kosher non-eviscerated poultry: provided, that all other applicable requirements of M.G.L. c. 94, § 130 and 105 CMR 532.000 and the following special conditions are strictly observed:

Special Conditions: the kosher non-eviscerated poultry shall be distributed under this exemption by the exemption holder and subsequent purchasers only in kosher trade channels for evisceration, as follows:

1. By, or under the personal supervision of, the Jewish housewife (or other Jewish householder) who purchases the poultry for use in her (his) own household; or
2. By a restaurant, hospital, or similar institution which serves kosher meals and purchases the poultry therefor; or
3. By or under the personal supervision of a rabbinical official of the Jewish faith or by a person authorized by such an official, in connection with a sale of the poultry to a Jewish housewife (or other Jewish householder) for use in her (his) own household.

This Certificate is issued under M.G.L. c. 94, § 130 and may be suspended or terminated in accordance with M.G.L. c. 94, § 130 for any failure to comply with the conditions hereof by any

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person. Failure to comply with the conditions of this exemption may also result in criminal liability under M.G.L. c. 94, § 190.

This Certificate does not excuse failure to comply with applicable provisions of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 301 *et seq.*).

Issued at \_\_\_\_\_, Mass., on

(Signature)

(Title)

(Certificate not valid unless signed by an authorized official of the Division of Food and Drugs.)

532.206: Effect of Exemptions on Other Persons

Whenever a slaughterer or processor is granted an exemption under 105 CMR 532.203 with respect to the slaughtering or processing of any poultry or poultry products under specified conditions, the sale, offer for sale, transportation and other handling in commerce by any person of such poultry and poultry products in accordance with such conditions is hereby authorized, except as restricted by M.G.L. c. 94.

532.207: Termination of Exemptions

The Director may by order suspend or terminate any exemption under 105 CMR 532.000 with respect to any person whenever he finds that such action will aid in effectuating the purpose of M.G.L. c. 94, § 118 *et seq.* Failure to comply with the conditions of the exemption, including, but not limited to, failure to process poultry and poultry products under clean and sanitary conditions may result in termination of an exemption, in addition to any other penalties provided by law.

532.208: Inspection of Exempted Plants and Products

Duly authorized inspectors of the Division are authorized to make inspections in accordance with law to ascertain whether any of the provisions of M.G.L. c. 94, § 118 *et seq.* or 105 CMR 532.000 applying to exempted producers, retailers or other persons have been violated.

532.209: Exemption from Definition of "Poultry Product" of Certain Human Food Products Containing Poultry

"Poultry Product" is defined to include any human food product consisting of any edible part of poultry separately or in combination with other ingredients, unless such human food product is exempted by the Commissioner from such definition. It has been determined that the effectuation of the purposes of M.G.L. c. 94, § 118 *et seq.* does not require the full application of the requirements of M.G.L. c. 94, § 118 *et seq.* and 105 CMR 532.209 to the following human food products which consist in part of edible

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parts of poultry. This determination is based upon the fact that such products contain an extremely small percentage of poultry and consist principally of non-poultry ingredients. Therefore, 105 CMR 532.209 shall be applicable to the following products only to the extent of requiring that they comply, in the judgement of the Commissioner, with the conditions specified below and said products, if they so comply with such conditions, are exempted from the definition of "poultry product" and the application of 105 CMR 532.209:

(A) Any human food product (in a consumer package) not provided for in 105 CMR 532.209(C), if:

- (1) It contains less than 2% cooked poultry meat (deboned white or dark poultry meat, or both);
- (2) It contains less than 10% of cooked poultry skins, giblets, or fat, separately, and less than 10% of cooked poultry skins, giblets, fat, and meat (deboned white or dark poultry meat or both) in any combination;
- (3) The poultry ingredients used in the product were prepared under inspection as defined in 105 CMR 532.001, or were inspected under a substantially equivalent foreign inspection system and imported in compliance with M.G.L. c. 94, § 118 *et seq.* and 105 CMR 532.000;
- (4) The immediate container of the product bears a label which shows the name of the product, a statement of the ingredients in the product, including a declaration as to artificial flavors, colors, or preservatives, if any, the net weight or other appropriate measure of the contents, and the name and address of the person preparing or distributing the product; and
- (5) The product does not in any respect have a false or misleading label. (*See* 105 CMR 532.134 with respect to labeling.) The aforesaid percentages of ingredients shall be computed on the basis of the moist, deboned, cooked poultry in the ready-to-serve product when prepared according to the serving directions on the consumer package.

(B) Any human food product (in an institutional pack), not provided for in 105 CMR 532.205(C), if:

- (1) It is prepared for sale only to institutional users, such as hotels, restaurants, and boarding houses, for use as a soup base or flavoring;
- (2) It contains less than 15% cooked poultry meat (deboned white or dark poultry meat, or both), computed on the basis of the moist, deboned, cooked poultry meat in such product; and
- (3) It complies with the provisions of 105 CMR 532.209(A)(3) through 532.209(A)(5) in all respects.

(C) Bouillon cubes, poultry broths, gravies, sauces, seasoning, and flavorings if:

- (1) They contain poultry meat or poultry fat only in condimental quantities; and
- (2) They comply with the provisions of 105 CMR 532.209(A)(3) through 532.209(A)(5) in all respects.

532.400: Interpretation and Statements of Policy with Respect to Producer Exemption

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A poultry producer exempted pursuant to M.G.L. c. 94, § 118 *et seq.*:

- (A) May sell directly to hospitals (which are considered to be in the same category as restaurants, hotels, and boarding houses);
- (B) May give away without charge slaughtered poultry of his own raising on his own farm and poultry products thereof, directly to household consumers or restaurants, hotels, hospitals, and boarding houses for use in their own dining rooms or in the preparation of meals for sale direct to consumers only;
- (C) May not ship in commerce, for further processing by a person other than the producer, slaughtered poultry or poultry products even if such sales are made to someone eligible to receive the articles under the producer exemption. Shipments in commerce may be made for purposes of freezing or storage and sale to eligible purchasers;
- (D) May not ship in commerce under the producer exemption, poultry or poultry products which have been processed by a person other than the producer;
- (E) May sell poultry for gift purposes, provided delivery is made by the producer directly to the person receiving the gift and all other requirements are met.

REGULATORY AUTHORITY

105 CMR 532.000: M.G.L. c. 94, § 124.